

Strasbourg, 30 March / 30 mars 2026

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)
CONSEIL CONSULTATIF DE JUGES EUROPÉENS (CCJE)

**Compilation of responses to the questionnaire
for the preparation of the CCJE Opinion No. 29 (2026)
on the use of artificial intelligence (AI)
in judicial decision making**

***Compilation des réponses au questionnaire
en vue de la préparation de l'Avis No. 29 (2026) du CCJE
sur l'utilisation de l'intelligence artificielle (IA)
dans la prise de décision judiciaire***

Prepared by the CCJE Secretariat

Préparée par le Secrétariat du CCJE

Contents

Albania / Albanie	3
Armenia/Arménie	9
Austria / Autriche.....	11
Azerbaijan/Azerbaïdjan	14
Belgium/Belgique	18
Bosnia and Herzegovina/Bosnie-Herzégovine.....	23
Bulgaria/Bulgarie.....	26
Croatia/Croatie	30
Cyprus/Chypre	33
Czech Republic/République tchèque	37
Denmark/Danemark	39
Estonia/Estonie	42
Finland/Finlande.....	45
France	48
Georgia/Géorgie.....	54
Germany/Allemagne	57
Hungary/Hongrie	62
Iceland/Islande	71
Ireland/Irlande	75
Italy/Italie	77
Latvia/Lettonie.....	90
Liechtenstein	94
Lithuania/Lituanie	97
Republic of Moldova/République de Moldova.....	101
Monaco	104
Netherlands/Pays-Bas	107
Norway/Norvège	112
Poland/Pologne	119
Portugal.....	123
Romania/Roumanie	133
San Marino/Saint-Marin	138
Serbia/Serbie	142
Slovak Republic/République slovaque.....	143
Slovenia/Slovénie.....	146
Spain/Espagne.....	149
Sweden/Suède.....	155
Türkiye	157
Ukraine.....	170
United Kingdom/Royaume-Uni.....	177

Albania / Albanie

At the outset of this contribution, it is appropriate to situate the discussion within Albania's ongoing justice reform and digital transformation efforts. Although artificial intelligence (AI) tools have not yet been implemented within judicial decision-making, the topic has emerged as an issue of strategic institutional relevance. The Albanian judiciary approaches potential technological developments with deliberate caution, ensuring that any future integration would respect constitutional principles, judicial independence, and European standards. The answers below reflect both the current regulatory framework and the practical realities.

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

Albania's laws and court rules contain no specific definition of "artificial intelligence" for the judiciary. There is no national AI law yet; the term is generally understood informally (as advanced computer algorithms) but is not defined in statute. (By contrast, the EU's forthcoming AI Act has technical definitions, but Albania has not transposed this.)

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

To date, Albanian courts do not use AI tools in decision-making or routine court work. No AI systems are reported in use by judges, clerks, or assistants. All ongoing plans are preparatory or aspirational. For example, in early 2026 the Prime Minister proposed developing an "AI legal assistant" to help judges and announced that, if requested, the government could deliver such a tool within about a year¹. However, this remains a proposal; there is no operational AI in the courts today.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

There is currently no specific Albanian law or regulation governing judges' use of AI. Judges must follow existing legal and ethical rules (on independence, impartiality, etc.), but none explicitly address AI tools. International guidance has been introduced by the Council of Europe: for instance, CEPEJ organized training in January 2026 on digital justice and AI ethics for Albania's High Justice Inspectorate². During this event, CEPEJ presented its European Ethical Charter on AI in Judicial Systems and new Guidelines on Generative AI for Courts. However, these are not Albanian laws. They serve as recommended best practices. Albania has not issued domestic judicial rules on AI.

¹ Rama me gjyqtarë e prokurorë: Si të doni, ju zëvendësoj me inteligjencë artificiale, NOA, 12 February 2026, <https://noa.al/lajmi/2026/02/2562531.html>.

² Council of Europe, European Commission for the Efficiency of Justice (CEPEJ), "CEPEJ organises a seminar with the High Inspector of Justice of Albania on information technology and digital ethics in the justice system," 27 January 2026, https://www.coe.int/en/web/cepej/strengthening-the-quality-and-efficiency-of-justice-in-albania-sej-iv/-/asset_publisher/iPtDRABsS8XI/content/cepej-organises-a-seminar-with-the-high-inspector-of-justice-of-albania-on-information-technology-and-digital-ethics-in-the-justice-system.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

There is no regulation specifically restricting litigants, lawyers or experts from using AI (for example, to draft submissions or analyse data). Professionals remain bound by general ethics (confidentiality, candour, etc.), but no new code covers AI. In practice, any citizen (including litigants) can use state services like the e-Albania portal and its AI assistant “*Diella*,” which was launched in 2025³. *Diella* (meaning “sun”) answers user questions on that platform using AI. However, this is a public service feature rather than a court rule. There are no special rules about lawyers using ChatGPT or similar; they would be subject only to ordinary civil or professional liability for any errors.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

No dedicated oversight body exists for AI in the courts. Judicial conduct and new technologies remain under the usual institutional framework. For example, the High Judicial Council and its High Justice Inspectorate oversee judges’ performance and ethics, but without specific AI mandates. The Council of Europe has engaged Albania’s Judicial Inspectorate on IT matters⁴, but this is part of general judicial reform (e-Justice) rather than a permanent AI regulator. Separately, the national Commissioner for the Right to Information and Personal Data Protection will ultimately oversee any personal data processing by public bodies (including courts using AI) under the new Data Protection Law. In short, AI use by judges would fall under existing oversight (judicial self-governance and data protection authorities), not a new AI-specific agency.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

As of early 2026, neither the Albanian Supreme Court nor Constitutional Court has issued any ruling on AI use in the judiciary. No test cases are reported where an AI tool’s use by a judge was challenged on appeal. (Albania’s courts have not yet encountered a factual situation requiring a legal rule on AI decision-support.) One related high-profile case involves a lawsuit by an actress against the government for using her likeness in the AI “virtual minister” *Diella*⁵. That case is pending in the administrative courts. But it is not a

³ Fakulteti i Drejtësisë, Universiteti i Tiranës. (2025). *Sfidat ligjore vendore në rregullimin ligjor të inteligjencës artificiale, tregjeve dhe shërbimeve digjitale si dhe qeverisjes elektronike: Punime të konsoliduara* (PDF). <https://fdut.edu.al/wp-content/uploads/2026/01/Punime-te-Konsoliduara-Proj25-1-1.pdf>

⁴ Council of Europe, European Commission for the Efficiency of Justice (CEPEJ), “*CEPEJ organises a seminar with the High Inspector of Justice of Albania on information technology and digital ethics in the justice system*,” 27 January 2026, https://www.coe.int/en/web/cepej/strengthening-the-quality-and-efficiency-of-justice-in-albania-sej-iv/-/asset_publisher/iPtDRABsS8XI/content/cepej-organises-a-seminar-with-the-high-inspector-of-justice-of-albania-on-information-technology-and-digital-ethics-in-the-justice-system

⁵ Albanian actress sues government over AI virtual minister image use. (2026, February 13). *Mezha*. <https://mezha.net/eng/bukvy/albanian-actress-sues-government-over-ai-virtual-minister-image-use/>

precedent about judges using AI; it is a private law/data-protection matter. In sum, there is no published court precedent on judicial AI.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

Judges have had little or no say in decisions to adopt AI tools. AI initiatives (so far in government, not specific to courts) have been announced by the executive without prior consultation of judicial bodies. For example, the Prime Minister publicly urged judges to embrace national e-government technologies and even offered to create AI “legal assistants” if requested⁶. But no formal dialogue or requirement for judicial input in designing such tools has been reported. Judicial associations or councils have not issued positions on AI.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Any AI systems used would be designed and operated by state IT agencies or contractors, not by judges. For instance, the e-Albania portal (run by the National Agency for Information Society – AKSHI) developed the *Diella* assistant using Microsoft’s Azure OpenAI technology. Similarly, AKSHI is leading an AI project (tendered in 2024) to process EU legislative texts and reports for public institutions. Albanian judges and courts play no role in building these systems. Judicial independence is protected by the fact that judges remain final decision-makers: any AI would serve only as a tool. There is no transfer of decision authority to non-judges; judges would always have to review and sign any output. (Budgetary and administrative control of courts remains with judicial bodies, safeguarding independence.)

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to ‘train’ on AI tools used by the judiciary?

Limited information is public about how Albanian government AI tools are trained. For example, the *Diella* assistant “was created with innovative technologies, using Azure OpenAI and the latest AI models from Microsoft”. This implies *Diella*’s designers used large language models from Microsoft; likely they further trained or configured them on Albanian-language government texts and FAQs. The EU-acquis project mentioned above explicitly aims to use natural-language processing on the body of EU laws to help with legal harmonization⁷. In other words, these systems are trained on legal and administrative texts. No country-specific training sets for judges (e.g. court records) are known; such projects

⁶ Rama me gjyqtarë e prokurorë: Si të doni, ju zëvendësoj me inteligjencë artificiale, NOA, 12 February 2026, <https://noa.al/lajmi/2026/02/2562531.html>.

⁷ AKSHI, 279 milionë lekë tender për inteligjencë artificiale – Nga përgatitja e akteve, te gjenerimi i raporteve. Përse do të shërbejë në institucionet shqiptare? SCAN TV, 27 March 2024, <https://scantv.al/akshi-279-milione-leke-tender-per-inteligjence-artificiale-nga-pergatitja-e-akteve-te-gjenerimi-i-raporteve-perse-do-te-sherbeje-ne-institucionet-shqiptare>.

have not been reported. Crucially, because AI use in courts is not yet formalized, there is no official transparency about the training data beyond these general statements.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Currently, AI has not been put into use by judges in Albania, so intended purposes remain theoretical. Government officials have described AI's role in broad terms: to increase efficiency, consistency and quality of judicial services. For example, PM Rama said courts should use technology to "raise the service standards" for citizens and integrate fully with the national e-government system. He also suggested that in a few years AI could replace some support staff (e.g. AI "legal assistants" instead of human clerks) to reduce workload. In the wider public sector, AI is explicitly intended to eliminate corruption (*Diella's* goal was to oversee procurement with "100% no corruption"). In short, the emphasis is on efficiency, transparency and workload reduction. No formal impact assessments or proportionality tests have been undertaken yet; the plans seem driven by policy goals (aligning with EU digital strategies) rather than by any judicial-specific necessity review in law.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Judges in Albania remain fully responsible for their decisions, whether or not they use any tool. If an AI tool were used, judges would still be accountable under the usual legal framework (Constitution and laws) for ensuring a correct and fair verdict. There is no separate legal regime shielding judges from liability due to AI. Misuse of any assistance could lead to the same disciplinary or civil consequences as any other judicial error. For example, if a judge blindly followed a flawed AI suggestion, any legal error would ultimately be attributed to the judge's decision. Disciplinary proceedings under the Judicial Status Law could apply, just as with any misconduct. In short, no special immunity or penalty exists for "AI mistakes", judges must apply the law correctly in all cases. (Note: to date this issue has not arisen in practice, since courts are not actively using AI in judgments.)

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Any AI use must comply with Albania's constitutional rights and data protection rules. Albania's Constitution (1998) guarantees privacy (Art.35) and the right to a fair trial (Art.42), and these apply equally if AI is involved. Importantly, a new Law No. 124/2024 on Personal Data Protection (in force Feb 2025) closely mirrors the EU GDPR⁸. This law requires any personal data processing (including by AI) to be lawful, transparent and proportionate. Thus, an AI system used in court (e.g. voice recognition, or analysis of files) would need Data Protection Impact Assessments, security measures and respect for data subject rights (as

⁸ "Albania's Personal Data Protection Law: A Legal Framework Harmonized with the GDPR," IAPP, 14 August 2025, <https://iapp.org/news/a/albania-s-personal-data-protection-law-a-legal-framework-harmonized-with-the-gdpr>.

with any other digital service). The national Commissioner for Data Protection enforces these rules. Beyond data privacy, general trial guarantees still apply: for example, any evidence or recommendation provided by an AI must be subject to the parties' right to contest it. Currently, no extra-legal "AI compliance unit" exists, but judges must individually ensure that use of any tool does not violate rights. In practice, this means judges would have to explain any AI-assisted findings in their reasoning (to meet transparency and allow appeal).

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

AI systems in government (and potentially in courts) fall under Albania's cybersecurity and e-government security framework. For example, Law 43/2023 on Electronic Governance requires secure, interoperable IT systems for all state institutions. Additionally, Albania transposed the EU's NIS Directive (network and information security) via implementing regulations. Public IT agencies must follow common cybersecurity standards (regular audits, intrusion detection, etc.). In 2023, AKSHI issued tenders that include requirements for secure data handling. Therefore, an AI tool used by a court would be expected to run on secured servers, use encryption, and be subject to routine security checks as per law. There are no AI-specific security laws yet, but the overall e-government and cybersecurity laws (cited in Law 43/2023 and the 2022 EU NIS2 Directive) provide a legal basis for protecting any judicial AI system's integrity. No breaches or hacks of a court AI tool have been reported (since none are live).

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Albanian law does not currently require courts to disclose the use of AI in proceedings. Judicial decisions must state legal reasoning, but there is no rule saying "this finding came from an AI system." Thus, a judge could theoretically use an AI analysis tool behind the scenes without noting it. That said, principles of fair trial and open justice imply that any evidence must be shared with parties. Internationally, the Council of Europe's Ethical Charter on AI urges transparency about AI use, but Albania has not enacted such a norm. In practice, any AI-supplied information would most likely be introduced through traditional channels (expert witness, etc.) and would become part of the record. There is no formal "Algorithmic Transparency Act" in Albania. To summarize: while CEPEJ guidelines promote knowing when AI is used⁹, no domestic statute mandates judicial transparency specifically about AI.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

⁹ Council of Europe, European Commission for the Efficiency of Justice (CEPEJ), "CEPEJ Organises a Seminar with the High Inspector of Justice of Albania on Information Technology and Digital Ethics in the Justice System," 27 January 2026, https://www.coe.int/en/web/cepej/strengthening-the-quality-and-efficiency-of-justice-in-albania-sej-iv/-/asset_publisher/iPtDRABsS8XI/content/cepej-organises-a-seminar-with-the-high-inspector-of-justice-of-albania-on-information-technology-and-digital-ethics-in-the-justice-system.

To preserve judicial autonomy, Albanian judges are expected to exercise independent judgment regardless of any tools. The Constitution and law require that judges personally decide cases; they cannot delegate decision-making to a machine. This self-governance duty inherently guards against blind reliance on AI. Practically, if an AI tool were offered, a judge would be professionally required to critically assess its output. There are no explicit Albanian rules on “over-reliance” in the code, but general ethical standards already oblige judges to base decisions on law and evidence (not on unknown algorithms). In line with Council of Europe advice, judges would (and should) treat AI as advisory only, not determinative. No additional safeguard mechanisms are in place beyond this.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Formal AI training for judges is only beginning. In January 2026, CEPEJ held a seminar in Tirana on IT and digital ethics for justice inspectors, highlighting AI issues and European standards. This indicates the start of broader judicial education on AI. The High Judicial School (for prosecutors and judges) has in recent years included topics like e-justice and technology, but as of 2026 no dedicated AI course is documented. Going forward, international projects (EU4Justice, SEJ IV) plan to incorporate AI and digital skills training. For now, if judges receive any training on AI it is through such EU/CoE initiatives or as part of general IT training. No single national training program has been publicly announced specifically for AI.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Albanian law does *not* allow a court to issue a judgment by purely automated means. All judgments must be rendered by a human judge or a panel of judges. There is no statute authorizing an AI “judge” to decide cases. The idea of fully automating decisions would conflict with the Constitution (which vests judicial power in real judges) and the right to a fair hearing (which implies human judgment). At this time, Albania has no plans to permit AI to decide cases autonomously. Any use of AI in the court process would be as a support tool (e.g. for research or drafting), with a human judge making the final decision. No automated adjudication is integrated into Albanian procedures, nor is there legislative movement toward it.

In conclusion, while AI has not yet been operationalised within Albanian courts, the justice system is aware of the profound implications that such technologies may entail. Albania currently stands in a phase of observation and institutional reflection, engaging with European partners and international standards. Any future integration of AI will aim to enhance efficiency and service quality without compromising judicial independence, human oversight, and the core constitutional principles governing adjudication.

*Technological innovation will be considered a support mechanism, never a substitute, for the human judge.

I. Legislation, rules of court or other official guidelines

1. At present, Armenian legislation does not provide a specific definition of artificial intelligence (AI) applicable to the judiciary.
 2. AI is not currently used in the Armenian judiciary, including by judicial assistants or clerks. Existing digital tools are limited to basic information systems and do not involve AI-based functionalities.
 3. There is no specific regulation or guidance governing the use of AI in judicial decision-making.
 4. There is no specific regulation or guidance concerning the use of AI by litigants, lawyers, or other participants in legal proceedings.
 5. No judicial or independent body currently exercises oversight over the use of AI in the judiciary, as such tools are not yet in use.
 6. The Constitutional Court and the Court of Cassation have not issued any rulings regarding the use of AI in the judiciary.
-

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. As AI tools are not yet implemented, no consultation with the judiciary has taken place regarding their design and implementation.
 8. AI is not currently used within the judiciary.
 9. There are no AI systems in use within the judiciary.
-

III. Use of artificial intelligence (AI)

10. AI is not currently used in the Armenian judiciary. However, future implementation could aim at enhancing efficiency, reducing workload, and improving access to justice, provided that such use complies with the principles of necessity and proportionality.

11. There are no specific rules on judicial liability related to AI use. General principles of judicial responsibility would apply if such technologies were introduced.

12. Although AI is not used, the protection of fundamental rights, including data protection, remains a core principle under Armenian law and would be essential in any future implementation.

13. Not applicable. However, ensuring security and integrity would be a prerequisite for any future AI deployment.

14. As AI is not currently used within the judiciary, no specific transparency requirements have been established in this regard.

15. As AI is not currently used within the judiciary, no such measures exist.

16. No specific training on AI is currently provided to judges.

17. Fully automated decision-making is not permitted. Judicial decision-making remains exclusively within the competence of human judges.

Austria / Autriche

In view of the different organisation of ordinary jurisdiction and administrative jurisdiction, and the associated differences in some of the regulations, the answers are divided into two areas where necessary.

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

No

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

AI might be used de facto by colleagues to prepare a summary of facts, to research the legal background or case law or to prepare a legal opinion/conclusion for an individual case.

Search engines (web browsers), offered by private publishers as tools for legal research (see above), work implicitly more and more with AI, not revealing the algorithm and the impact on results (and thus on judicial work).

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Aside the directly applicable (EU) AI Act and the (EU) GDPR (see Art. 22 limiting solely automated individual decision-making, including profiling), there is no specific national regulation or guideline on the use of AI in Austria.

Relevant possible limitations are provided by Art. 8 ECHR (right to privacy), national Law on Data Protection and professional obligations to observe secrecy and confidentiality to protect parties and public interest.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No; recently the Supreme Court dismissed a complaint (in penal matters) which was apparently drafted by AI without any appropriate control by the attorney responsible.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

No, not at all: it's noteworthy, that Austria doesn't have any council for the judiciary or any comparable body for judicial self-government. The responsibility for the administration of courts is in the hand of the executive branch.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

Recently the Supreme Court dismissed a complaint (in penal matters) which was apparently drafted by AI without appropriate control by the attorney responsible.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

No legally structured consultation-process for the judiciary.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence? ***As far as AI is used de facto by judges, it's designed and operated by private companies without involvement of the judiciary or respect for judicial independence. There are private companies (publishers) developing and offering specific AI for application by lawyers; up till now the costs exceed the budgets of many courts.***

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

For de facto used AI it's untransparent; private publishers claim to use public data pools.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

See above p. 2.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

As there are no specific regulations or obligations on the application of AI, any use or misuse must result in the violation of specific professional obligations or individual rights, such as the duty to secrecy or confidentiality, to be relevant.

There is an internal guideline issued by the Federal Ministry of Justice for the area of ordinary jurisdiction concerning information and communication technologies. Regardless of whether this guideline can bind judges in the exercise of independent jurisdiction, it states under point V.1.p: The use of internet services such as search engines (e.g. Google, Bing), translation services (e.g. Google Translator, DeepL, iTranslate) and AI services (e.g. ChatGPT, CoPilot, Google Gemini, Meta LLaMa) is not permitted in connection with data worthy of protection, in particular personal data that must be treated confidentially and procedural data in general. Translated with DeepL.com (free version)

12. Where AI is used, what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Counter-question: what fundamental rights could be at stake?

Of course, right to privacy (Art. 8 ECHR) as mentioned above, but also the right to a fair trial (Art. 6), guaranteeing transparent review of all evidence (including opinions of expert-witnesses) and an unbiased, reasonable decision by a human being (judge).

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?
As there is no official frame work, it depends on the responsibility of the individual judge, if and to what extent he or she applies AI.
Please also note the reference to the internal guideline (p. 11).
14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?
No.
15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?
No measures.
16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.
No, at least not by the judiciary.
17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?
No permission by law.
There were plans at some (regional) administrative courts to involve AI in the decision-making process in questions of legal aid.

The Federal Ministry of Justice has established an artificial intelligence working group for the area of ordinary jurisdiction. A position paper is to be drafted.
The premise is that the use of AI-supported systems requires clear and transparent framework conditions and a structured approach to their use, given the role of the judiciary and the tasks incumbent upon it. This is to ensure that such systems meet ethical (including the Ethical Guidelines for Trustworthy AI) and legal requirements (including the [EU] Regulation on Artificial Intelligence) and that judicial independence and impartiality as well as human decision-making are preserved.

In the area of ordinary jurisdiction, it can be assumed that decisive steps will be taken in 2026 with regard to a) the use of AI in the judiciary and b) the creation of legal and ethical frameworks.

Submitted by

Markus Thoma

Yvonne Summer

Azerbaijan/Azerbaïdjan

I. Legal and Institutional Framework

1. Definition of Artificial Intelligence

At present, the legislation of the Republic of Azerbaijan applicable to the judiciary does not contain a specific legal definition of artificial intelligence (AI).

In practice, AI is understood as algorithm-based systems capable of processing data and performing tasks which would otherwise require human cognitive functions, such as pattern recognition, information retrieval, and decision-support. This understanding is consistent with the functional and risk-based approach reflected in CEPEJ instruments.

2. Use of AI within the Judiciary

The use of AI within the judiciary is currently limited to supportive and administrative functions. These include, inter alia, legal research, case-flow management, document processing and statistical analysis.

AI systems are not used for adjudication and do not replace the judicial function. Judicial decisions remain exclusively within the competence of independent and impartial judges, in full respect of the principles of judicial independence and human oversight.

3. Specific Regulation of AI in Judicial Decision-Making

There is currently no specific legislative framework regulating the use of AI in judicial decision-making. However, the use of technological tools is subject to general legal principles, including legality, proportionality, transparency and accountability.

Discussions are ongoing concerning the possible development of more specific safeguards, taking into account relevant Council of Europe standards and the principles set out in CEPEJ documents.

4. Use of AI by Parties and Other Participants in Proceedings

There are no specific provisions regulating the use of AI tools by litigants, lawyers, expert witnesses or other participants in judicial proceedings.

Should such tools be used, their deployment remains subject to the applicable procedural guarantees, including equality of arms, adversarial proceedings and the right to a fair trial.

5. Oversight and Governance

No specialised body has been established to supervise AI use within the judiciary. Oversight is exercised through existing judicial governance mechanisms, including competent judicial councils and ethics frameworks.

These mechanisms ensure that the introduction and use of digital technologies comply with professional standards, ethical obligations and the protection of fundamental rights.

6. Relevant Case-Law

To date, neither the Supreme Court nor the Constitutional Court has delivered judgments specifically addressing the use of AI in judicial activity. The issue remains under consideration in doctrinal and institutional discussions.

II. Design, Development and Operational Management

7. Involvement of the Judiciary in the Design of AI Systems

The judiciary is consulted in the design and implementation of AI tools, notably through expert groups and consultative mechanisms. Judges and court staff may provide input regarding functionality, reliability, explainability and practical implications for court operations.

Such involvement aims to ensure that technological solutions remain compatible with judicial needs and fundamental rights requirements.

8. Responsibility for Design and Operation

The technical development and maintenance of AI systems are primarily carried out by competent IT bodies and/or external service providers.

The judiciary participates in evaluation and validation processes, while retaining responsibility for ensuring that any deployed system respects judicial independence and human control over decision-making.

9. Data Sources and Training

AI systems used within the judiciary are generally developed on the basis of legal data, including anonymised judicial decisions, legislation and official legal databases.

Data processing is subject to applicable data protection standards, with due regard to data quality, security and integrity.

III. Use of AI in Judicial Practice

10. Purpose and Proportionality

AI tools are used with the primary objective of improving the efficiency, quality and consistency of judicial administration, in particular in case management and legal research.

Their use is assessed against criteria of necessity and proportionality, in line with the principles of good administration of justice and procedural fairness.

11. Responsibility and Liability

Judges remain fully responsible for their judicial decisions. The use of AI as a support tool does not affect individual judicial accountability.

Disciplinary liability of judges is regulated by Article 111-1 of the Law “On Courts and Judges” of the Republic of Azerbaijan. Grounds for disciplinary responsibility include serious violations of legal norms in the administration of justice, breaches of judicial ethics, unjustified delays or actions undermining judicial independence.

Pursuant to Article 101 of the same Law, judges are not personally liable for damage caused as a result of judicial error; compensation is borne by the State in accordance with the law.

12. Protection of Fundamental Rights

The use of AI is subject to safeguards ensuring respect for fundamental rights, including the right to a fair trial, the protection of personal data, non-discrimination and access to an effective remedy.

Relevant data protection and cybersecurity requirements apply to all digital systems used in courts.

13. Security and Technical Reliability

Appropriate technical and organisational measures are implemented to ensure the security, reliability and integrity of AI systems. These include regular security assessments, controlled access, encryption and compliance with national cybersecurity standards.

14. Transparency and Explainability

Efforts are made to ensure transparency in the deployment of AI tools, including clarity regarding their purpose and function.

In accordance with CEPEJ principles, AI systems are used in a manner that allows meaningful human oversight and avoids “black-box” decision-making in judicial activity.

15. Avoidance of Over-Reliance

AI systems serve exclusively as decision-support tools. Judges are trained and instructed to exercise critical assessment and independent reasoning, thereby preventing over-reliance on automated outputs.

16. Training and Awareness

Judges and court staff receive training on digitalisation and the responsible use of AI tools. Training activities address technical, ethical and legal aspects, including risks related to bias, data protection and explainability.

17. Automated Decision-Making

Fully automated judicial decision-making is not permitted. Any future consideration of such systems would require a clear legal basis and robust safeguards ensuring compliance with Article 6 of the European Convention on Human Rights and Council of Europe standards on the administration of justice.

National AI Strategy

By Decree No. 530 of 19 March 2025, the President of the Republic of Azerbaijan adopted the “Artificial Intelligence Strategy of the Republic of Azerbaijan for 2025–2028”.

The Strategy defines national priorities for the development and governance of AI, including institutional coordination, public–private cooperation, research and innovation, and capacity-building.

It provides for the strengthening of governance mechanisms, the designation of responsible public authorities, the development of specialised educational programmes, support for research funding, and training for civil servants in AI and data governance. These measures aim to promote the responsible and human-centric development of AI, including within the public sector.

Belgium/Belgique

I. Législation, règles de procédure judiciaire ou autres directives officielles

1. La législation, les règles de procédure judiciaire ou les directives officielles fournissent-elles une définition de l'intelligence artificielle (IA) qui s'applique au pouvoir judiciaire ? Si oui, en quels termes ?

Un récent projet (fin 2025) de « Directives pour l'utilisation de l'Intelligence Artificielle dans l'Ordre judiciaire belge » propose la définition suivante : « Systèmes informatiques capables d'accomplir des tâches qui requièrent normalement l'intelligence humaine, et qui peuvent apprendre et s'adapter à de nouvelles situations. »

IA générative : « Forme d'IA capable de créer du contenu nouveau, tel que du texte, des images, des sons ou du code informatique. Certaines solutions d'IA générative peuvent également exécuter des actions, comme envoyer des courriels ou générer des documents. »

2. L'IA est-elle utilisée par le pouvoir judiciaire, y compris par les personnes qui assistent les juges, telles que les greffiers ou les assistants judiciaires ? Si oui, à quelles fins l'IA est-elle utilisée ?

Il n'existe pas de données à ce propos. Mais il est communément admis que cet usage augmente fortement et que l'IA est en train d'entrer dans les mœurs.

3. L'utilisation de l'IA par le pouvoir judiciaire, en particulier dans le cadre de la prise de décision judiciaire, est-elle réglementée ou soumise à des directives ? Si oui, quelle est la nature et le contenu de ces réglementations ou directives ?

Il existe un récent projet (fin 2025) de « Directives pour l'utilisation de l'Intelligence Artificielle dans l'Ordre judiciaire belge ». Le groupe de travail se réunit régulièrement et l'évolution des travaux est régulièrement suivi par le Collège des cours et tribunaux, le Collège du ministère public et le Comité de direction de la Cour de cassation.

Nature et contenu de ce projet de directives : Le projet de « directives sur l'usage de l'intelligence artificielle (IA) dans l'Ordre judiciaire belge » ont une nature officielle et visent à guider magistrats et personnels judiciaires dans une utilisation prudente, sécurisée et éthique de ces technologies. Elles rappellent que l'IA ne peut jamais compromettre l'intégrité, l'indépendance ni la confidentialité de la justice, et qu'elle demeure un outil d'appui, non de décision. Le document définit les principaux concepts liés à l'IA (algorithmes, IA générative, biais, RAG, etc.) et expose les risques majeurs : inexactitudes fréquentes (hallucinations), biais discriminatoires, absence de sources fiables, risques de sécurité informatique, et dangers pour la vie privée si des données sensibles sont introduites dans des outils publics. Les lignes directrices insistent sur plusieurs obligations : comprendre les limites des outils, ne jamais saisir d'informations confidentielles dans un chatbot public, vérifier systématiquement l'exactitude des résultats, rester responsable de tout contenu produit, et utiliser uniquement des solutions sécurisées et conformes au RGPD — en particulier Microsoft Copilot Chat mis à disposition dans un environnement protégé du Service public fédéral Justice. Les magistrats doivent aussi être attentifs à l'usage

potentiel de l'IA par les parties, notamment la production de textes inexacts ou de faux contenus. L'IA peut soutenir des tâches préparatoires (résumés, structuration, rédaction provisoire, soutien linguistique), mais toute évaluation juridique, analyse factuelle ou prise de décision relève exclusivement de l'humain.

4. Existe-t-il une réglementation ou des directives concernant l'utilisation de l'IA par les parties à un litige, les avocats et les autres participants à une procédure judiciaire (par exemple, les témoins experts) ? Si oui, quelle est la nature et le contenu de cette réglementation ou de ces directives ?

Oui, il existe les « Lignes directrices à l'intention des avocat(e)s sur l'utilisation de l'intelligence artificielle », établie en commun par « l'Ordre des barreaux francophones et germanophone et par l'Orde van Vlaamse balies (Ordre des barreaux flamands).

Nature et contenu de ces directives : Ce document présente les lignes directrices destinées aux avocats concernant l'usage de l'intelligence artificielle dans leur pratique professionnelle. L'utilisation de l'IA n'est ni interdite ni obligatoire : elle relève de la liberté et de la responsabilité de chaque avocat. Celui-ci doit toutefois maîtriser les bases de l'IA et des modèles de langage, comprendre leur fonctionnement prédictif et leurs limites, et respecter en tout temps les obligations de compétence et de diligence imposées par le Code judiciaire et les Codes de déontologie.

L'avocat doit examiner attentivement les conditions d'utilisation des outils d'IA : modalités de formation et de stockage des données, localisation des traitements, caractère ouvert ou fermé du système, responsabilités de la plateforme et conditions liées à la propriété intellectuelle. Il doit systématiquement vérifier l'exactitude des résultats fournis par l'IA, notamment l'existence réelle des lois, jurisprudences et doctrines citées, et exercer un esprit critique sur les raisonnements proposés. Il n'existe pas d'obligation générale d'informer le client de l'usage de l'IA, sauf si celui-ci influence la prestation ou implique un traitement de données personnelles.

La protection des données et le respect du secret professionnel constituent des principes centraux : les données personnelles doivent être pseudonymisées, et l'avocat s'abstient d'introduire des informations couvertes par le secret professionnel dans des outils d'IA, sauf s'il travaille dans un environnement strictement fermé et sécurisé. Lorsque le traitement de données personnelles est indispensable, l'avocat doit être transparent et obtenir le consentement de la personne concernée.

Enfin, en matière de robots et de chatbots, les clients doivent être clairement informés lorsqu'ils interagissent avec un système automatisé. L'avocat demeure toujours entièrement responsable des résultats produits par l'IA qu'il utilise, et les règles générales de responsabilité professionnelle restent pleinement applicables.

Au niveau européen, il existe, depuis le 2 octobre 2025, le « Guide du CCBE sur l'utilisation de l'intelligence artificielle générative par les avocats », élaboré par le Conseil des barreaux européens.

5. Un organisme judiciaire ou autre supervise-t-il l'utilisation de l'IA par le pouvoir judiciaire ? Si oui, quel est cet organisme et quelle est la nature de sa responsabilité en matière de supervision ?

Le Service public fédéral Justice (=Ministère belge de la Justice) prépare actuellement la mise en place d'un « Information Governance Board », dont la mission s'étend à plusieurs domaines, dont l'intelligence artificielle. Il est envisagé de placer l'usage de l'IA dans une

logique de gouvernance intégrée à la gestion globale des données. L'intelligence artificielle ne peut être utilisée que dans un cadre maîtrisé garantissant qualité, sécurité, traçabilité et conformité juridique des données. La supervision reposera sur l'Information Governance Board (IGB), chargé de définir les règles d'usage de l'IA, de valider les cas d'utilisation, d'évaluer les risques et de veiller au respect des principes de proportionnalité, transparence, explicabilité et éthique. Aucun déploiement d'IA n'est possible sans analyse préalable des impacts et arbitrage des instances supérieures.

La maîtrise est assurée par une chaîne de responsabilités clairement définie (Business Owner, Data Owner, Data Steward, etc.), un catalogue et une classification des données, ainsi qu'un contrôle continu de la qualité et de la sensibilité des données utilisées par les systèmes d'IA. La migration vers des plateformes analytiques sécurisées contribue également à fiabiliser l'environnement technique.

6. La Cour suprême ou la Cour constitutionnelle (selon le cas) s'est-elle prononcée sur l'utilisation appropriée de l'IA par le pouvoir judiciaire ? Si oui, quelle était la nature de cette décision ?

Pas à notre connaissance.

II. Conception, exploitation et gestion de l'intelligence artificielle (IA) par le pouvoir judiciaire

7. Dans quelle mesure le pouvoir judiciaire est-il consulté, et le cas échéant, comment, sur la décision de concevoir et de mettre en œuvre des outils d'IA destinés à son usage ?

Dans le cadre de la mise en place du « Information Government Board » (cf. réponse à la question I, 5), le pouvoir judiciaire est consulté.

8. Lorsque l'IA est utilisée par le pouvoir judiciaire, qui est responsable de sa conception et de son fonctionnement ? Dans quelle mesure, le cas échéant, le pouvoir judiciaire participe-t-il à l'une ou l'autre de ces tâches ? Quelles mesures, le cas échéant, sont prises pour garantir que la répartition des responsabilités est compatible avec l'indépendance judiciaire ?

Le Service public fédéral Justice (=ministère de la Justice) met à la disposition de tous les collaborateurs de la Justice, juges et procureurs y-compris, une version sécurisée de Co-Pilot.

9. Lorsque l'IA est utilisée par le pouvoir judiciaire, comment est-elle développée ? Par exemple, quel matériel est utilisé pour « former » aux outils d'IA utilisés par le pouvoir judiciaire ?

Cfr. la réponse à la question I, 1.

III. Utilisation de l'intelligence artificielle (IA)

10. À quelles fins l'IA est-elle utilisée par le pouvoir judiciaire, par exemple pour améliorer l'efficacité, la cohérence, réduire la charge de travail, faciliter l'accès à la justice ? Comment la nécessité et la proportionnalité d'une telle utilisation sont-elles évaluées ?

L'IA n'est pas utilisée, sauf exception locale, de manière institutionnalisée ou organisée à une vaste échelle. Chaque président de tribunal est libre d'appliquer un outil d'IA pour la gestion de son tribunal ou pour aider les juges et les assistants des juges dans leur travail.

11. Les juges peuvent-ils être tenus responsables de leur utilisation ou de leur mauvaise utilisation de l'IA dans le cadre de procédures, y compris sur le plan disciplinaire ou civil ? Si oui, quelle est la nature de cette responsabilité ?

Je ne connais pas de cas concrets mais on peut imaginer que cela soit possible ou puisse survenir.

12. Lorsque l'IA est utilisée, quelles mesures, le cas échéant, sont prises pour protéger les droits fondamentaux, y compris les droits en matière de protection des données ? Quelles mesures devraient être prises pour garantir le respect de ces droits ?

Cfr. la réponse à la question et I,1 et à la question I,5.

13. Lorsque l'IA est utilisée, quelles mesures, le cas échéant, sont prises pour garantir sa sécurité et son intégrité ?

1) Cfr. la réponse à la question I, 1.

2) Le 25 février 2025, le Service public fédéral Justice (=ministère belge de la Justice) a diffusé des directives pour l'usage de CoPilot. Le message de diffusion énonce qu'il est formellement interdit d'introduire des données personnelles, sensibles ou confidentielles dans des outils d'IA ou de les partager via e-mail, Teams ou d'autres applications, et que, en tant qu'employé, nous restons pleinement responsables de la qualité et de l'exactitude du travail : toute information fournie ou générée avec l'aide de l'IA doit toujours être rigoureusement vérifiée par nos soins. En outre, le message contient un lien vers un document vers des « lignes directrices importantes ». Ces lignes directrices préconisent que l'usage de l'IA dans la Justice doit être prudent, sécurisé et conforme aux obligations de confidentialité. Les outils d'IA publics non validés, tels que ChatGPT, sont déconseillés en raison des risques pour la sécurité, la confidentialité et la protection des données. Une alternative interne et plus sûre, Microsoft 365 Copilot Chat, est mise à disposition. L'IA doit être utilisée de manière responsable, avec des questions précises et uniquement pour des objectifs légitimes. Aucune donnée confidentielle ou personnelle ne peut être saisie dans des outils publics : toute information introduite risque d'être exposée ou récupérée. L'approche doit rester éthique, en évitant tout usage manipulateur. L'IA constitue un soutien, jamais une source fiable en soi : ses résultats peuvent être erronés, biaisés ou manipulés, ce qui impose une vérification systématique. Seuls les outils validés par l'organisation peuvent être utilisés, et en cas de doute, il convient de consulter le responsable de la sécurité de l'information.

14. Existe-t-il des exigences de transparence concernant l'utilisation de l'IA par le pouvoir judiciaire ? Si oui, quelles sont-elles et comment sont-elles appliquées ?

Il n'existe pas, actuellement, de telles exigences de transparence.

15. Lorsque l'IA est utilisée, des mesures sont-elles mises en œuvre pour éviter que le pouvoir judiciaire ne dépende excessivement de l'aide fournie par l'outil d'IA utilisé, protégeant ainsi

l'autonomie judiciaire ? L'autonomie judiciaire doit être comprise comme l'expertise professionnelle et les compétences décisionnelles. Si oui, quelles sont ces mesures ?

La sécurité des systèmes informatiques utilisés par le Pouvoir judiciaire n'est pas gérée par le pouvoir judiciaire lui-même, mais par le Service public fédéral Justice (=Ministère belge de la Justice), qui combine personnel interne, collaborateurs « E-gov » sous contrats privés et consultants externes. Les systèmes sont administrés par des profils dotés de vastes droits d'accès, qu'ils soient internes ou externes, ce qui implique un risque structurel inévitable. La politique belge consiste à réduire ce risque par des mesures de mitigation : liste nominative d'administrateurs, gouvernance claire, contrôles de sécurité et screenings, principe du moindre privilège, comptes critiques réservés aux fonctionnaires, chiffrement, journaux d'audit indépendants et réévaluation périodique des droits. Les services ICT reposent aussi sur des contrats avec Microsoft et Proximus. Enfin, l'adoption de nouveaux outils sensibles comme Trellix nécessite une décision du Comité de gestion commun et une analyse d'impact relative à la protection des données (DPIA), en raison des risques élevés pour la vie privée

16. Lorsque l'IA est utilisée, les juges reçoivent-ils une formation spécifique à son utilisation ? Si oui, qui dispense cette formation ? Pouvez-vous décrire brièvement la nature de cette formation ?

A ma connaissance, une telle formation n'a pas encore mise en place. Cependant, voy. les réponses aux questions I, 1 et III, 13 (2).

17. La prise de décision entièrement automatisée par l'IA dans les procédures judiciaires est-elle autorisée ? Si oui, sur quelle base est-elle intégrée dans le processus judiciaire ? Si elle n'est pas autorisée, existe-t-il une intention d'introduire de tels processus et, si oui, sur quelle base ?

Non, ce n'est pas autorisé.

Bosnia and Herzegovina/Bosnie-Herzégovine

I. Legislation, rules of court or other official guidelines

1. **Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?**

There is no legislation, rule of court, or official judicial guidance in Bosnia and Herzegovina that defines “artificial intelligence (AI)” specifically for the judiciary.

2. **Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?**

At present, artificial intelligence is not formally or institutionally used by courts in Bosnia and Herzegovina for judicial decision-making or adjudicative functions.

Courts operate electronic case management systems (CMS) and digital registries, coordinated at state level by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). These systems provide automated administrative processing and statistical monitoring but do not constitute AI tools involving autonomous reasoning, predictive analytics, or machine-learning-based decision support.

There is no officially endorsed use of generative AI or automated legal reasoning systems by judges, judicial assistants, or clerks. Any potential individual use of publicly available AI tools would be informal and not regulated.

3. **Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?**

There are no specific regulations or binding guidelines. No court rules, procedural codes, or regulations of the High Judicial and Prosecutorial Council define or regulate artificial intelligence in trials.

4. **Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?**

There are no specific regulations addressing AI use by litigants, lawyers, or expert witnesses.

5. **Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?**

Currently, there is no AI-specific oversight framework. However, general judicial governance and data protection supervision mechanisms would apply if AI systems were introduced.

6. **Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?**

Neither the Constitutional Court of Bosnia and Herzegovina nor entity Supreme Courts have issued rulings concerning the use of AI in judicial decision-making.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. **To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?**

As AI tools are not formally deployed in courts, there is no structured consultation process regarding AI design.

8. **Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?**

N/A

9. **Where AI is used by the judiciary, how is it developed? For instance, what material is used to ‘train’ on AI tools used by the judiciary?**

N/A

III. Use of artificial intelligence (AI)

10. **For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?**

Since AI is not formally used, no official necessity/proportionality assessment framework exists.

11. **Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?**

There is no AI-specific liability regime.

12. **Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?**

While there is no AI-specific human rights impact assessment requirement, any deployment of AI by courts would be subject to constitutional guarantees, the European Convention on Human Rights, and general data protection legislation.

13. **Where AI is used, what measures, if any, are used to ensure its security and integrity?**

No AI-specific integrity standards exist.

General IT security standards apply to judicial information systems, including data protection compliance and cybersecurity safeguards coordinated through judicial governance structures.

14. **Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?**

There are no explicit transparency requirements concerning AI use by courts.

Transparency is ensured through: public hearings, publication of reasoned judgments and access to court decisions.

There is no current obligation to disclose AI assistance in judicial reasoning.

15. **Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?**

As AI is not formally integrated into adjudication, no specific safeguards exist.

Judicial autonomy is structurally protected by the constitutional requirement that decisions are taken by judges, the obligation to provide reasoned judgments and personal judicial responsibility.

Judicial independence and individual responsibility for reasoning are constitutionally entrenched principles in Bosnia and Herzegovina.

16. **Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.**

There is no systematic training programme on AI use in adjudication.

Occasional awareness seminars have been organised through international cooperation projects, focusing on ethical and human rights implications rather than operational AI deployment.

17. **Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?**

Fully automated judicial decision-making is not permitted.

There is no legal basis allowing AI systems to issue binding judicial decisions.

Judicial power must be exercised by a legally appointed judge in accordance with constitutional guarantees of independence and fair trial rights.

There are no known legislative initiatives currently aimed at introducing fully automated adjudication. Such introduction would likely require constitutional and procedural amendments, as adjudicative authority is vested in legally appointed judges.

Bulgaria/Bulgarie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
No

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Artificial intelligence is mainly used to automate technical processes and analyze court practice to support human judgment. The Supreme Judicial Council (SJC) has developed voice input software, which automatically converts speech to text /voice-to-text/ aiming to save time normally spent in preparing minutes and documents. There are AI platforms, created by private companies and accessible for judges after payment of the relevant fees, that quickly navigate thousands of court decisions /ex."Ask LEXEBRA" - an expert system that synthesizes legal answers based on current case law and cites specific acts/.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
No

In October 2025, the first draft law for the implementation of the European Artificial Intelligence Act in Bulgaria was submitted to the Parliament. The Draft Law on the Use and Development of Artificial Intelligence explicitly regulates for the first time the conditions for the implementation, supervision, and development of AI technologies in Bulgaria and creates legally binding mechanisms for control over systems that may have an impact on fundamental rights, the economic environment, or national security. However, the Parliament Committee on e-Government and Information Technology, to which the draft was distributed for initial consideration, decided to propose to the National Assembly not to adopt it on first reading because it contained shortcomings and a more detailed regulation was needed. The draft prescribes additions to the Judiciary System Act according to which: 1/ in delivering their acts, the judicial authorities shall not be entitled to use artificial intelligence systems to interpret facts and law and to apply the law to a specific set of facts; 2/ the use of artificial intelligence systems in the distribution of cases and files /which is currently carried out on the principle of random selection through uniform electronic distribution according to the order in which they are received/ is prohibited. At present there are no further developments.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?
No (see answer to question №3)

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Supreme Judicial Council /SJC/ is the body that provides financial and technical support for the courts' activities; it approves automated information systems for judicial authorities after consultation with the Minister of Justice and ensures their systematic integration and operational compatibility.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

However, questions related to different aspects of the use of artificial intelligence are already arising before the courts in the course of the examination of their cases. A preliminary ruling has been requested by a first instance court (referring to ECJ case law and, *inter alia*, to CCJE Opinions №.26 (23) and №.14 (11)) from the ECJ with regard to questions related to the interpretation of Article 86(1) of Regulation 2024/1869 and the principles of human oversight, traceability and explainability in the context of presented before court expert opinion, prepared on the basis of a software program that generates automatic results or uses elements of artificial intelligence. The Supreme Court of Cassation has also discussed similar problems in a penal case judgement.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

SJC is the body that provides financial and technical support for the courts' activities; it approves automated information systems for judicial authorities after consultation with the Minister of Justice and ensures their systematic integration and operational compatibility. Judges participate in various working groups and projects – for example in November 2025 the SJC plenary appointed participants in a working group for the development of project ideas "Introduction of Artificial Intelligence (AI) in the Judicial System to Improve Predictability and Access to Justice."

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

See answer to question №.7

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Currently, the product developed especially for implementation in the judicial system is the already mentioned voice-to-text program. It is developed by the SJC and created as part of the project "Development and Implementation in the Judicial System of Software for Accelerated Creation and Reproduction of Acts and Other Documents through Dictation and Automatic Conversion of Voice Recordings into Text and Accompanying Processing Systems". As evident from the presentation of the program by the project manager (a SJC member) and the coordinator (a president of a court) the most advanced technology has been selected—deep neural networks, a type of artificial intelligence that will be continuously improved; the program will be web-based and is being trained by collecting a huge volume of audio recordings of various court proceedings, which are being entered into the system so that it can contain all the specific terminology used by judges (the goal is to collect at least 2,000 hours of recordings so that the system contains all the necessary words and expressions that are encountered in the daily work of a judge). The program can be upgraded—each user will have the opportunity to train the software themselves—with the pronunciation of certain words, by adding new ones, etc. There are several elements which guarantee information security —access is only possible with a classified electronic signature, two-factor authorization, and the fully encrypted information.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Efficiency and consistency. As regards the voice-to-text program it was estimated that its implementation would significantly reduce the workload of court clerks and judges by cutting document processing time by over 60%. On the other hand, tools such as "Ask LEXEBRA" analyze court practice, summarize various opinions, and provide structured answers based on current court decisions and judgements.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

There are no specific provisions regulating the use of AI in court proceedings, including those concerning cases of AI abuse, and the special responsibility of judges in this regard; the general rules are applicable.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

One of the most sensitive issues is related to information security. As far as the voice-to-text-program is concerned, there are several elements which guarantee it—access is only possible with a classified electronic signature, two-factor authorization, and the fully encrypted information. On the other hand, the automated searching machines operate with anonymized texts of all judicial acts delivered, so as the information processed is anonymized.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

See answer to question №.12

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

There is no explicit legal regulation on the matter, and at the same time there is no specialized AI created specifically for the needs of the judicial system with a view to replacing the judge in certain activities.

A Draft Law on the Use and Development of Artificial Intelligence (the first draft law for the implementation of the European Artificial Intelligence Act in Bulgaria) which explicitly regulates for the first time the conditions for the implementation, supervision, and development of AI technologies in Bulgaria and creates legally binding mechanisms for control over systems that may have an impact on fundamental rights was submitted to Parliament in October 2025; however, as already mentioned, the Parliament Committee on e-Government and Information Technology, to which the draft was distributed for initial consideration, decided to propose to the National Assembly not to adopt it on first reading because it contained shortcomings and a more detailed regulation was needed.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

See answer to question №.3

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

The training of judges in Bulgaria is carried out by the National Institute of Justice /NIJ/, which provides initial mandatory training for junior judges (9 months) and subsequent ongoing training to maintain and improve their qualifications. The NIJ has organized training on topics such as "Artificial Intelligence as a Strategic Tool in the Judicial System," (detailed overview of the technical aspects of artificial intelligence in the courtroom; philosophy, terminology, and basic concepts of artificial intelligence, such as BlackBox, machine learning, and "deep learning"; parallel between the present and the future of artificial intelligence in justice, with an emphasis on certain myths and dangers; practical aspects of artificial intelligence in criminal proceedings), Artificial Intelligence – Prevention, Investigation, and Enforcement, Artificial Intelligence in the Administration of Justice (webinar focused on the main issues and challenges regarding the use of technology in modern justice).

The following topics are also available: Application of Artificial Intelligence in the Judicial System. Ethical Aspects of the Use of Artificial Intelligence; Artificial intelligence and ethics.

The NIJ also offers opportunity for judges to register and participate in series of webinars organized by the European Judicial Training Network: Artificial Intelligence and Personal Data Protection, Artificial Intelligence /latest developments in the use of artificial intelligence and digital technologies in the field of criminal law for the prevention, prosecution, and punishment of crimes, as well as possible solutions to emerging problems in this area/; Advanced AI in Justice (Ethics and AI Technologies: Navigating the Moral Landscape /ethical challenges of using AI in justice, including transparency, accountability, preventing bias, and preserving the human factor/; AI in Legal Practice /shows how AI is used for legal research, case management, and decision support, with real-world examples and best practices for balancing its use with the protection of fundamental rights/; The Future of AI in Legal Decision-Making /the future of AI in decision-making and the latest information on the legal framework regulating artificial intelligence in Europe, including the latest legislative changes, new types of artificial intelligence systems (e.g. generative artificial intelligence) and their role in the legal context, both in and outside the courtroom/; The Impact and Challenges of Artificial Intelligence in the Judicial System - Introduction to Artificial Intelligence; Artificial Intelligence and its Impact on the Work of the Judiciary; Artificial Intelligence – Tools and Aspects Related to Prevention, Investigation, and Enforcement; international online course "Artificial Intelligence and the Rule of Law", etc.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

No (see answer to question №.3)

Croatia/Croatie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms_

NO

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

It is used as for judges for purposes of case filing and for legal research either through systems within Supreme Court, or through outside providers

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Croatia did not went so far.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

NO

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Not exactly. There is body formed of judges and IT experts within Supreme Court who are in charge for attending and serving or base of case law which is for free accessible to everybody. (So called ANON).

Within Ministry of Justice there is a body which monitor need of e-filing system and that it works properly.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

NO

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

Judges and Supreme Court are consulted about their needs and how to overcome shortcomings of the systems we have.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

It is mainly Ministry of Justice, and judges are consulted.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Within judicial Academy there are workshops for judges and judges' assistants how to use case law data base,, nad for clarks how to use e-filing system.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

So far it is used to establish better communication with parties, to improve transparency, and to improve legal certainty.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

There were no such cases so far, but I opinion it could happen if judges would extend use of IA in a way that they would allow IA to do what their duty is.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

In Croatian situation all judgments are anonymized with IA tool used for such purpose before judgments are published on line, and in regard to e-filing only parties and judge can enter all data stored in the system.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

There are usual tools which are installed to protect system of misuse (codes, passwords etc)

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

NO so far.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

For the moment in Croatia this is blind spot and nobody really knows are judges (miss)using AI .I am not aware that such there were such complaints against judges.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training?

Please see answer under 9.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

In Croatia we do not have such possibility so far, so it is not allowed or forbidden. There are ideas to introduce such system in small claims cases.

Duro Sessa

Cyprus/Chypre

I. Legislation, rules of court or other official guidelines

1. **Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?**

No. Cyprus has not adopted a judiciary-specific definition of artificial intelligence. There is no law, rule of court or official judicial guidance defining AI specifically for use in the courts.

2. **Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?**

AI is not used in Cyprus for adjudicative decision-making. No system determines outcomes, evaluates evidence or drafts judgments.

3. **Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?**

There is no specific law or rule of court in Cyprus regulating the use of AI in judicial decision-making, and no AI system is currently used to determine judicial outcomes.

4. **Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?**

There is no specific law or rule in Cyprus regulating the use of AI by litigants, lawyers or expert witnesses in court proceedings.

However, existing legal and ethical rules apply. Lawyers remain fully responsible for all submissions made to the court, even where AI tools are used. They must comply with duties of honesty and accuracy, and misleading or unreliable material may give rise to disciplinary consequences.

Expert evidence remains subject to the ordinary rules of evidence, and the court retains full discretion to assess its reliability.

In summary, although there are no AI-specific procedural rules, the use of AI in proceedings is governed by existing professional duties, evidentiary standards and EU legal requirements.

5. **Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?**

There is no body dedicated exclusively to supervising AI use within the judiciary.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No. Neither the Supreme Court nor the Supreme Constitutional Court of Cyprus has issued any judgment on the use of artificial intelligence by the judiciary.

No case has addressed AI-based adjudication or the use of algorithmic tools in judicial decision-making.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The Supreme Court has granted in-principle approval for research into the development of an AI-based support tool for the iJustice system.

The judiciary is therefore institutionally involved in decisions concerning the development and possible deployment of such tools.

The tool cannot be put into practical use without a further formal decision of the Supreme Court.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

N/A

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

No AI system is used or trained for judicial decision-making in Cyprus.

III. Use of artificial intelligence (AI)

10. **For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?**

As stated above, AI is not used in Cyprus to make judicial decisions.

11. **Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?**

There is no AI-specific liability regime for judges in Cyprus.

Judges cannot be personally sued for decisions made in the exercise of their judicial duties. If a judge acts improperly, the matter may be examined under the constitutional disciplinary framework governing judicial conduct.

If a digital or AI-assisted tool were misused, it would be assessed under the general standards applicable to judicial conduct and in light of constitutional fair trial guarantees, including Article 30 of the Constitution and Article 6 of the European Convention on Human Rights. Since AI is not used to determine judicial outcomes in Cyprus, no specific liability issues related to automated adjudication currently arise.

12. **Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?**

N/A

13. **Where AI is used, what measures, if any, are used to ensure its security and integrity?**

N/A

14. **Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?**

There are no AI-specific transparency rules adopted exclusively for the judiciary in Cyprus.

15. **Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?**

AI is not used in Cyprus to make judicial decisions. Judges remain fully responsible for all judicial determinations.

16. 16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training?

Judges in Cyprus receive training on digitalisation and AI literacy within broader judicial training programmes.

Training is provided through the Cyprus Judicial Training School and through EU-level judicial training initiatives. Cyprus participates in the EU Judicial Training Strategy 2025–2030. In this context, the European Judicial Training Conference on digitalisation, to be held in Nicosia on 26–27 February 2026, includes discussion of AI literacy and safeguards in judicial systems.

The training addresses the legal framework governing AI, data protection obligations, fundamental rights safeguards and the risks associated with over-reliance on technological tools. Its purpose is to ensure informed, critical and responsible use of digital technologies while preserving independent judicial judgment.

17. 17. Is fully automated decision-making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Fully automated decision-making in court proceedings is not permitted in Cyprus.

Judicial decisions must be reasoned and issued by a judge, in accordance with Article 30 of the Constitution and Article 6 of the European Convention on Human Rights.

There is no legislative framework authorising automated adjudication and no system currently designed to deliver such decisions. There is no intention at present to introduce fully automated judicial decision-making.

Czech Republic/République tchèque

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
NO, guidelines for the use of AI are, for the time being, included only in regulations governing cybersecurity.
2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?
YES. We can use MS Copilot, but not everybody has access to the full version (budget problem). Copilot is currently the only system officially permitted for working with judicial databases.
3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
NO, see the answer to q.1.
4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?
NO.
5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?
NO, only the cybersecurity questions – oversight of the Ministry of Justice.
6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?
On 3 December 2025, the Constitutional Court ruled on the liability of a lawyer who had used AI to argue on the basis of fictitious court decisions.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?
The Constitutional Court and the High Court in Prague have their own projects with several universities aimed at using AI to draft decision proposals. The Ministry of Justice has not yet explored such an initiative and is currently acting only as an observer
8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?
Not yet debated.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?
Projects are planned to use anonymized decision.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Ordinary use of AI tools is not yet taking place here. Only some judges have begun using the Copilot agent to search case law or prepare texts, but it is not regulated in any systematic way.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?
NO.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?
For now, primarily due to cybersecurity and personal data protection concerns, only the Copilot model is available. It has only general AI text-processing capabilities, is not specifically adapted for judicial work, and has no access to databases — texts can only be inserted into it manually. The use of other commercial AI tools for working with judicial documents is not permitted.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?
See Q.12.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?
Not yet.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?
Not yet.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.
Not yet. Some judges have only completed introductory seminars to familiarize themselves with AI, and some attend commercial seminars on the use of AI.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?
NO.

Denmark/Danemark

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

Answer: At this point no such legislation, rules of court or official guidance exist.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Answer: It has not been decided to have the judiciary use AI, and generally courts do not use AI. At the individual level there may be persons who use AI in connection with the preparation of cases, including the identification of relevant legal sources.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Answer: No.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

Answer: No.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Answer: Please see answer to question 2. If it is decided to have the Danish courts use AI, it would be natural to have the Danish Court Administration oversee the use of AI by the courts.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

Answer: No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

Answer: Please see answer to question 2. If it is decided to have the Danish courts use AI, it would be natural to have the Danish Court Administration and the courts cooperate with respect to the design and implementation of AI.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Answer: Please see the answer to question 7.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Answer: Not relevant.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Answer: Not relevant.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Answer: Not relevant.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Answer: Not relevant.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Answer: Not relevant.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Answer: No.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Answer: Not relevant.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Answer: Not relevant.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Answer: Not relevant.

Estonia/Estonie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

No.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Not officially yet. There are some trial use of AI (selected judges are testing it).

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

No.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Yes, High Judicial Council, court presidents, Ministry of Justice. Ministry of Justice is responsible for IT-systems, that includes AI. Nature is to guide and evaluate progress.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

Yes, judges take an active part of the design and test the AI tools as it should be practical.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

There is a designated judge who works closely with IT-designers, there are volunteer judges who test the outcome.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Quality of AI depends of the information quality. Therefore, AI is used in close court infosystem only. AI is not suppose to use internet as such.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Hope is that AI will help make the procedure faster (by checking formalities of the claim or other court document, suggests procedural timeframe etc), reduce workload (for example making summaries of the documents, finds evidence supporting an argument), in case of standard cases (as majority of civil cases) it can promote consistency. As a helping tool for participants, it can predict an outcome of the case before participants are filing their claim and it can help to avoid cases with no perspective.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

No.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Judge should be responsible of the case, check the AI responses. Judge should make a decision of the case, AI may find reasoning behind it.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Closed (from internet) and secured (access for authorized personel only) system.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

No specific regulation.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

AI is not designed to make a decision but assist judge answering specific questions asked. Only on standardized procedural issues (like state fee etc) AI may have authonomy which is also monitored.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Hopefully.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

In the future, only on standardized procedural questions (like formalities of the court document, setting some deadlines for opinions etc).

Finland/Finlande

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

There is no definition of artificial intelligence specifically applicable to the judiciary. Artificial intelligence is defined in the EU regulation, especially EU Artificial Intelligence Act (2024/1689). For the implementation and supplementation of the said Act in Finland a new Act on the supervision of certain artificial intelligence systems (1377/2025) has come into force in the beginning of this year.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

No, AI is not used by the judiciary at the moment. Another matter is that some judges and referendaries probably privately use AI tools e.g. in seeking legal information to be used in their decisions. It is impossible to say how common this kind of use of AI is among judges and referendaries.

The National Courts Administration is currently conducting an assessment to determine whether a certain AI tool developed by a commercial company for legal information retrieval could be adopted for use also in the courts. If the tool is approved for use, it could be used to retrieve legal information, for example to identify relevant case law, but not for the actual decision-making.

The National Courts Administration aims also at creating principles for the use of AI tools. Furthermore, there is a pilot project in one of our biggest district courts regarding utilizing AI for retrieval of legal information.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

It is not permissible to use AI in actual judicial decision making. Thus, no regulations or guidelines exist for such a use. However, using AI tools for gathering legal information that can be used in the decision making cannot be forbidden as such.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No. We do know that many law firms use AI tools in gathering and analysing information for the use in court proceedings. The responsibility for the results of these activities (the correctness of the gathered legal information etc.) lies always on the law firm that is using them.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Supervision of the judiciary is generally exercised by the Chancellor of Justice and the Parliamentary Ombudsman.

According to the Act on the supervision of certain artificial intelligence systems, the Data Protection Ombudsman acts as the market surveillance authority responsible for supervising high-risk AI systems referred to in Article 6(2) and Annex III of the EU Artificial Intelligence Act, where AI systems are intended to be used by a judicial authority or on their behalf to assist a judicial authority in researching and interpreting facts and the law and in applying the law to a concrete set of facts, or to be used in a similar way in alternative dispute resolution. The task of the market surveillance authority is, among other things, to supervise and verify that high-risk AI systems comply with the requirements set out in the applicable legislation.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

We are not aware of any such consultations.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

AI is not used by the judiciary.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

AI is not used by the judiciary.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI is not used by the judiciary.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

AI is not used in court proceedings. If a judge is found out to have used AI in his/her actual decision making he/she could face disciplinary liability (in practice a written warning) or even prosecution for an offence in public office.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

AI is not used by the judiciary.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

AI is not used by the judiciary.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

No, because AI is not used by the judiciary.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

No, because AI is not used by the judiciary.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

No, because AI is not used by the judiciary.

However, there are a couple of short introductory on-line courses on the use of AI, provided by the National Courts Administration, which are intended for judges.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

No, it is not permitted. There is, however, an on-going project set up by the Ministry of Justice which aims at enabling the use of AI in the decision making in the field of administration. The current deadline for the project is at the end of the year 2027.

Kimmo Vanne
District Court Judge

Tuomo Antila
Justice of the Supreme Court

France

I. Législation, règles de procédure judiciaire ou autres directives officielles

1. *La législation, les règles de procédure judiciaire ou les directives officielles fournissent-elles une définition de l'intelligence artificielle (IA) qui s'applique au pouvoir judiciaire ? Si oui, en quels termes ?*

NON. Il n'y a pas de définition spécifique de l'intelligence artificielle applicable au pouvoir judiciaire.

2. *L'IA est-elle utilisée par le pouvoir judiciaire, y compris par les personnes qui assistent les juges, telles que les greffiers ou les assistants judiciaires ? Si oui, à quelles fins l'IA est-elle utilisée ?*

Pour l'instant, les juges n'ont pas l'autorisation d'utiliser l'IA dans leur travail de rédaction, et les greffiers non plus. Cela s'explique par la nécessaire confidentialité des données personnelles, et par des préoccupations de sécurité : les principaux outils d'IA sont situés en dehors du territoire national, et appartiennent à des entreprises étrangères (GAFAM). L'utilisation des données transmises par l'utilisateur à une IA ne peut en effet faire l'objet d'aucun contrôle de la part de l'utilisateur.

La charte de déontologie des magistrats de l'ordre judiciaire rédigée par le Conseil supérieur de la magistrature précise que : « le magistrat ne peut en aucun cas confier à une IA des tâches qui relèvent exclusivement de son office. Ainsi, si elle peut être une aide à la décision, l'IA ne doit jamais se substituer à la décision du magistrat qui reste responsable de son jugement. »

Le rapport de la Cour de cassation (avril 2025) sur les possibilités d'usage de l'IA au sein de cette cour suprême souligne que l'IA peut-être un outil d'aide à la décision intéressant, mais que l'acte de juger soit demeurer une prérogative humaine, et que la liberté d'appréciation du magistrat doit toujours être préservée.

Cependant :

- Rien n'interdit d'effectuer une recherche documentaire ou de jurisprudence en utilisant des moteurs de recherche « grand public » comme Google ou d'autres outils d'IA, à condition de ne pas leur transmettre de données personnelles.
- Une utilisation « clandestine » de l'IA pour la rédaction par certains juges (en particulier les juges non professionnels comme les membres des tribunaux de commerce ou des conseils de prud'hommes), ou bien les assistants judiciaires (attachés de justice) n'est pas impossible, et se produit certainement déjà sans que cela se remarque.
- Le ministère de la justice a lancé en début d'année 2026 l'expérimentation par certains magistrats et greffiers volontaires et sélectionnés d'un « assistant personnel souverain » sous la forme d'un Chatbot ressemblant à ChatGPT, mais qui est entièrement géré par les services de l'Etat français. C'est un Chatbot réservé aux agents de l'Etat et qui ne transmet aucune donnée en dehors du territoire français.

L'expérimentation est menée, pour les agents du pouvoir judiciaire, sous la direction et le contrôle du secrétariat général du ministère de la justice.

- Les avocats utilisent déjà de manière habituelle l'IA pour rédiger leurs écritures et conclusions.

3. *L'utilisation de l'IA par le pouvoir judiciaire, en particulier dans le cadre de la prise de décision judiciaire, est-elle réglementée ou soumise à des directives ? Si oui, quelle est la nature et le contenu de ces réglementations ou directives ?*

Les principaux textes ayant valeur normative sont le règlement européen sur la protection des données (RGPD : protection des données personnelles, avec obligation d'anonymisation pour les bases jurisprudentielles) et le règlement européen sur l'intelligence artificielle (IA act).

Il faut y ajouter les lois nationales sur les fichiers nominatifs (commission nationale informatique et libertés, créée en 1978).

Ces textes sont d'application générale (administration, entreprises) et ne visent pas spécifiquement le pouvoir judiciaire.

Concernant les acteurs de la justice, y compris les juges, les textes qui existent ont valeur de recommandations déontologiques, ou de guides de bonnes pratiques (soft law) à valeur incitative. Outre la charte de déontologie des magistrats de l'ordre judiciaire et le rapport de la Cour de cassation d'avril 2025, il faut citer :

- Un rapport parlementaire (Sénat) sur l'IA et les professions du droit
- Un rapport du ministère de la justice intitulé « l'IA au service de la justice »
- Un rapport sur l'évolution de l'Open data des décisions de justice
- Un document intitulé « intelligence artificielle générative et vigilance déontologique dans l'exercice professionnel des magistrats et des avocats et de leurs équipes » élaboré par le conseil consultatif conjoint de la déontologie de la relation magistrat avocat, placé auprès de la Cour de cassation
- La charte d'utilisation de l'intelligence artificielle au sein de la juridiction administrative.

Tous ces textes ont en commun deux principes fondamentaux :

- 1) l'IA est un instrument de documentation et d'aide à la décision qui ne doit jamais se substituer ou s'imposer au juge, lequel est seul responsable du contenu de son jugement ;
- 2) l'utilisation de l'IA par un avocat ou un magistrat devrait être expressément mentionnée et portée à la connaissance des parties.

4. *Existe-t-il une réglementation ou des directives concernant l'utilisation de l'IA par les parties à un litige, les avocats et les autres participants à une procédure judiciaire (par exemple, les témoins experts) ? Si oui, quelle est la nature et le contenu de cette réglementation ou de ces directives ?*

Voir réponse à la question ci-dessus. Pas de lois ni de règlements, mais des recommandations déontologiques. S'agissant des experts, ils doivent de toute manière décrire très précisément les instruments utilisés pour parvenir à leurs conclusions, et leurs investigations techniques doivent pouvoir être discutées par les parties. Un expert qui utiliserait l'IA pour répondre à une question devrait obligatoirement le mentionner dans son rapport.

5. *Un organisme judiciaire ou autre supervise-t-il l'utilisation de l'IA par le pouvoir judiciaire ? Si oui, quel est cet organisme et quelle est la nature de sa responsabilité en matière de supervision ?*

NON, il n'y a pas pour l'instant d'organisme chargé de superviser l'usage de l'IA par la justice.

6. *La Cour suprême ou la Cour constitutionnelle (selon le cas) s'est-elle prononcée sur l'utilisation appropriée de l'IA par le pouvoir judiciaire ? Si oui, quelle était la nature de cette décision ?*

NON. Il n'y a pas de décision du Conseil constitutionnel ou de la Cour de cassation sur l'utilisation de l'IA par le pouvoir judiciaire.

Comme indiqué plus haut, il existe un rapport rédigé par un service de la Cour de cassation en avril 2025 sur les perspectives d'usage de l'IA au sein de cette haute juridiction.

II. Conception, exploitation et gestion de l'intelligence artificielle (IA) par le pouvoir judiciaire

7. *Dans quelle mesure le pouvoir judiciaire est-il consulté, et le cas échéant, comment, sur la décision de concevoir et de mettre en œuvre des outils d'IA destinés à son usage ?*

C'est le ministère de la justice qui est chargé de l'expérimentation d'outils d'IA pouvant être utilisés par les magistrats. Cette expérimentation par des personnels sélectionnés et habilités est en cours, et ses résultats ne sont pas encore connus. Elle a été précédée d'une consultation de tous les magistrats et greffiers, sur le point de savoir s'ils étaient volontaires pour participer à l'expérimentation, et quelles étaient leurs attentes précises (documentation, modèles de décisions, résumé des écritures des parties, gestion des types de dossiers, identification de questions juridiques nouvelles, etc.)

Cette consultation a révélé un très vif intérêt des magistrats et greffiers pour l'IA.

8. *Lorsque l'IA est utilisée par le pouvoir judiciaire, qui est responsable de sa conception et de son fonctionnement ? Dans quelle mesure, le cas échéant, le pouvoir judiciaire participe-t-il à l'une ou l'autre de ces tâches ? Quelles mesures, le cas échéant, sont prises pour garantir que la répartition des responsabilités est compatible avec l'indépendance judiciaire ?*

L'IA n'est pas encore utilisée par le pouvoir judiciaire – à l'exception de l'expérimentation mentionnée ci-dessus, menée sous la conduite du ministère de la justice (secrétariat général du ministère).

9. *Lorsque l'IA est utilisée par le pouvoir judiciaire, comment est-elle développée ? Par exemple, quel matériel est utilisé pour « former » aux outils d'IA utilisés par le pouvoir judiciaire ?*

La formation aux outils d'IA qui sont en cours d'expérimentation est assurée par le ministère de la justice (diffusion de documentation, modes d'emploi, et webinaires).

III. Utilisation de l'intelligence artificielle (IA)

10. *À quelles fins l'IA est-elle utilisée par le pouvoir judiciaire, par exemple pour améliorer l'efficacité, la cohérence, réduire la charge de travail, faciliter l'accès à la justice ? Comment la nécessité et la proportionnalité d'une telle utilisation sont-elles évaluées ?*

Comme indiqué ci-dessus, il n'y a pas d'utilisation généralisée de l'IA.

Les usages envisagés par la Cour de cassation sont : la recherche de jurisprudence, l'analyse des moyens présentés dans les écritures des parties, l'identification de points de droit nouveaux ou communs à plusieurs affaires.

Ceux qui font l'objet de l'expérimentation conduite par le ministère de la justice concernent notamment la synthèse de documents, la rédaction de comptes-rendus de réunion, la recherche de modèles de décisions, et l'analyse des principaux arguments d'un texte.

La possibilité de développer des assistants IA capables de renseigner le public sur la procédure ou l'état d'avancement d'une affaire est à l'étude.

11. *Les juges peuvent-ils être tenus responsables de leur utilisation ou de leur mauvaise utilisation de l'IA dans le cadre de procédures, y compris sur le plan disciplinaire ou civil ? Si oui, quelle est la nature de cette responsabilité ?*

Il n'y a pas pour le moment d'exemple de responsabilité d'un juge engagée en raison de son utilisation de l'IA.

Cependant, compte-tenu des recommandations contenues dans la charte de déontologie des magistrats de l'ordre judiciaire élaborée par le CSM, il est vraisemblable qu'une utilisation non conforme à cette charte (transfert de données personnelles à Chatgpt, rédaction de décisions par un outil d'IA sans contrôle effectif du juge, abandon par ce dernier de son pouvoir d'appréciation, reprise de fausses références de jurisprudence...) pourrait, s'il s'agit de manquements graves ou répétés, conduire à un « avertissement » de la part de la hiérarchie ou même à une responsabilité disciplinaire devant le CSM.

12. *Lorsque l'IA est utilisée, quelles mesures, le cas échéant, sont prises pour protéger les droits fondamentaux, y compris les droits en matière de protection des données ? Quelles mesures devraient être prises pour garantir le respect de ces droits ?*

La compatibilité entre l'usage de l'IA dans un cadre judiciaire et la protection des données personnelles, imposée notamment par le RGPD, est l'une des difficultés majeures.

Dans le contexte de l'Open Data des décisions judiciaires, toutes les données personnelles (sauf le nom des juges et des greffiers) doivent être anonymisées. Cela n'empêche pas de sérieuses craintes sur des utilisations détournées de l'Open Data dans le cadre d'un

traitement massif par IA des décisions judiciaires portées à la connaissance du public, de la part des parties ou d'autres acteurs (compagnies d'assurance, agences d'investigation privées...)

Lorsque l'IA se généralisera dans la justice (ce qui n'est pas encore le cas), des normes contraignantes spécifiques à cette utilisation devront être édictées par la loi ou le règlement. Il faudra garantir, en particulier :

- 1) Que des données personnelles (nom, date de naissance, adresse, etc) ne sont pas transférées hors du territoire national, ou même à d'autres administrations françaises, et a fortiori à des entreprises privées ;
- 2) Que si de telles données sont transmises à un outil d'IA souverain, réservé au pouvoir judiciaire et géré par lui, leur sécurité sera assurée et contrôlée par des représentants de la justice.

L'idéal serait que même dans le cas d'une IA souveraine réservée à la justice, seuls des documents anonymisés puissent être transmis.

13. *Lorsque l'IA est utilisée, quelles mesures, le cas échéant, sont prises pour garantir sa sécurité et son intégrité ?*

L'usage de l'IA n'est pas généralisé, et est seulement expérimental. Il s'agit d'une IA « souveraine » gérée par l'Etat. Lorsque son utilisation se développera, il faudra assurer :

- La sécurité technique des serveurs face à des possibles attaques de hackers
- La confidentialité des données utilisées par la justice à l'égard d'autres services de l'Etat
- Un contrôle possible des algorithmes utilisés, afin d'éviter les biais

Il est certainement souhaitable que ces garanties soient placées sous le contrôle d'un représentant du pouvoir judiciaire, assisté par une équipe indépendante du pouvoir exécutif.

14. *Existe-t-il des exigences de transparence concernant l'utilisation de l'IA par le pouvoir judiciaire ? Si oui, quelles sont-elles et comment sont-elles appliquées ?*

Pour l'instant, les exigences de transparence sont de nature exclusivement déontologique. Elles résultent de la charte de déontologie des magistrats de l'ordre judiciaire, du rapport de la Cour de cassation d'avril 2025, du document intitulé « intelligence artificielle générative et vigilance déontologique dans l'exercice professionnel des magistrats et des avocats et de leurs équipes » élaboré par le conseil consultatif conjoint de la déontologie de la relation magistrat avocat, placé auprès de la Cour de cassation, et de la charte d'utilisation de l'intelligence artificielle au sein de la juridiction administrative.

Leur application est souhaitable, mais il est difficile en pratique d'en assurer le respect si l'utilisateur de l'IA (magistrat, avocat, assistant ou attaché de justice) ne mentionne pas dans son travail qu'il a utilisé l'intelligence artificielle.

On peut déjà constater que de très nombreuses écritures d'avocat sont manifestement rédigées par IA, sans pour autant que cela soit indiqué.

15. *Lorsque l'IA est utilisée, des mesures sont-elles mises en œuvre pour éviter que le pouvoir judiciaire ne dépende excessivement de l'aide fournie par l'outil d'IA utilisé, protégeant ainsi*

l'autonomie judiciaire ? L'autonomie judiciaire doit être comprise comme l'expertise professionnelle et les compétences décisionnelles. Si oui, quelles sont ces mesures ?

La protection de l'indépendance des juges à l'égard de l'outil d'IA, d'une part, et de son contenu, d'autre part, est un défi majeur.

Il existe un risque, si l'IA est efficace et fiable, que les juges y recourent de manière habituelle, et abandonnent peu à peu, pour augmenter leur productivité, leur pouvoir de contrôle sur les solutions ou les rédactions proposées par la machine. La machine ne doit en aucun cas décider : elle peut seulement proposer une décision.

Mais surtout, il faut assurer l'objectivité et la neutralité du fonctionnement de l'IA, et éviter les biais tenant aux algorithmes utilisés ou aux données sur lesquelles la machine a été entraînée. Il existe une abondante littérature spécialisée sur ce point.

Si les outils d'IA sont développés par le ministère de la justice – c'est-à-dire le pouvoir exécutif – une vigilance particulière s'imposera à cet égard.

16. *Lorsque l'IA est utilisée, les juges reçoivent-ils une formation spécifique à son utilisation ? Si oui, qui dispense cette formation ? Pouvez-vous décrire brièvement la nature de cette formation ?*

L'Ecole nationale de la magistrature (ENM) assure de nombreuses formations de caractère général sur l'IA, en particulier pour la formation continue des magistrats.

S'agissant des outils actuellement en cours d'expérimentation dans certaines juridictions, la formation des usagers volontaires est assurée par l'équipe du secrétariat général du ministère de la justice (manuels d'utilisation, webinaires).

17. *La prise de décision entièrement automatisée par l'IA dans les procédures judiciaires est-elle autorisée ? Si oui, sur quelle base est-elle intégrée dans le processus judiciaire ? Si elle n'est pas autorisée, existe-t-il une intention d'introduire de tels processus et, si oui, sur quelle base ?*

NON. Rien n'autorise à ce que des décisions judiciaires soient prises de manière entièrement automatisée. La décision est prise et signée par un juge humain. Il n'est pas envisagé d'introduire dans la justice française des processus qui confieraient la décision à une machine.

Georgia/Géorgie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

NO

Since June 12, 2020 - The Digital Governance Agency has been operating in Georgia. Since April 6, 25 Georgia has “Georgian Digital Governance Strategy 2025-2030” approved by the Government of Georgia - but this document do not directly propose the definition of Artificial Intelligence and do not specifically address the judicial system.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

N/A

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

N/A

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

N/A

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

N/A

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

NO

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

N/A

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

N/A

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

N/A

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

N/A

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

N/A

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

N/A

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

N/A

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

N/A

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

N/A

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

N/A

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

N/A

Germany/Allemagne

The following answers are based on statements of the federal ministry of justice and the German Judges Association (largest association of judges in Germany).

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

There is no uniform, comprehensive definition of AI in the justice sector apart from the EU Law in Art. 3 (1) AI Regulation (Regulation (EU) 2024/1689) – AI Act - which applies to the judiciary, too.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Numerous projects involving AI or algorithmic systems to support work in the justice system are already being developed and tested in Germany. Current areas of application include the following:

- **automated preparation and structuring of files for decision-making, optimization of text creation**
- **automated evaluation and transfer of metadata and technical data from incoming documents in specialist applications and e-files,**
- **AI-supported transcription and automated translation**
- **Anonymisation/Pseudonymisation**
- **Testing of products for intelligent searches of large legal databases**

The aforementioned applications are intended to support both judges and judicial officers in their work.

The German Judges Association (Deutscher Richterbund) considers it urgently necessary to standardise the digitalisation of the judiciary within Germany, including the availability of AI.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Apart from the AI Act, there is currently no further regulation. However, in April 2025 a strategy for the use of AI in the justice system was adopted (https://www.bmjbv.de/SharedDocs/Publikationen/DE/Fachpublikationen/2025_KI_Strategie.pdf?__blob=publicationFile&v=1). The strategy defines goals for the use of

AI in the justice system and provides for various measures with a concrete implementation roadmap. It provides a common framework that maximizes the benefits of AI in the justice system, while emphasizing that final decision-making must remain a human-driven activity.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

Apart from the AI Act there are currently no regulations or guidelines governing the use of AI by litigants, lawyers, and other participants involved in legal proceedings (e.g., expert witnesses).

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Market surveillance authorities will also be designated for the judiciary in accordance with the AI Act. It has not yet been decided which authorities these will be. The Federal Network Agency will be the competent market surveillance authority for the federal government.

The German Judges Association does not currently consider a central supervisory body for the use of AI to be necessary. It would be more important to standardise the fragmented IT landscape nationwide. Given the federal constitution of the Federal Republic of Germany, the judiciary is a matter for the federal states.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The federal government is currently not developing any AI applications itself. However, it is participating in AI projects in the states, both financially and – in rare cases - through technical input at the working level. Most initiatives at the state level follow similar project structures. The state ministries as the judicial administration bear strategic as well as budgetary responsibility and oversee IT-integration, whereas the operative project teams are usually made up of practitioners from the courts. If, in rare cases, practitioners are not part of the immediate project group, they are at least involved in user testing. Software-Design and -development is usually carried out by external service providers in accordance with practical requirements.

The German Judges Association points out that the use of IT solutions in the judicial system regularly requires the approval of the respective judges' representatives. Early and comprehensive involvement of the Association might be

helpful in order to be able to profitably utilise the expertise of practitioners in the development process.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

All AI-applications focus on assisting in the preparatory stages of judicial decision-making. Every application is also designed in a way, that leaves it up to the practitioners to decide, whether – if at all – and how they want to use any given tool. To this end, particular attention is paid to offering users the greatest possible transparency with regard to how these tools work as well as educating users about their strengths and weaknesses and what biases might come into play whilst using them.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to ‘train’ on AI tools used by the judiciary?

The aforementioned AI strategy includes a measure whereby the federal and state governments will set up a data pool accessible to the judiciary, in which relevant data for the purpose of training models will be anonymized and made available in a standardized format. Given the considerable costs, almost all AI-applications currently in development by the states however do not pursue the approach of initially training, retraining or fine-tuning AI-models, but take advantage of technologies such as “Retrieval Augmented Generation” to combine the already adequate technical language capabilities of existing models with domain-specific knowledge.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Currently, the areas of application mainly concern the automation of work steps (e.g., machine translation, document analysis, anonymization) with the aim of reducing workload and increasing efficiency. However, consistency and access to justice are also important issues and should be given greater consideration in future applications. One of the measures envisaged by the AI strategy is the development of an evaluation framework. This should enable a structured evaluation of AI applications in the justice system. The aim is to create a sound basis for decision-making when selecting projects.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Liability issues relating to the use of AI by judges are currently being discussed. So far, no specific legal basis has been established.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

According to the AI Act, operators are required, for example, to conduct fundamental rights and data protection impact assessments with regard to high-risk AI systems.

The German Association of Judges underlines the importance of the constitutional framework for the judiciary such as the right to hearing (Art. 103 German Basic Law - Grundgesetz). From the perspective of the German Association of Judges these regulations are currently sufficient. Otherwise, there is the risk that the development of AI systems in the judiciary will be significantly hampered.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

First and foremost, established IT security processes are being used. In addition, the measures provided for in the AI Act, such as the establishment of a risk management system, are ensured (see also answer to question 14).

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

The AI strategy provides for processes to be established to ensure transparency and control. A cross-state development is planned to ensure compliance with the organizational requirements of the AI Act (risk management, quality management, technical documentation, monitoring) for the judiciary.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

To ensure that AI is used in a human-centered way in the justice system, a sufficient level of AI competence is required, both for those responsible for introducing and procuring AI systems and for those who use AI systems. The AI strategy therefore provides various measures relating to AI competence.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

The AI Strategy includes specific actions aimed at improving AI training within the sector, ensuring that judiciary staff are equipped with the necessary skills to effectively engage with AI technologies.

One of the key measures in this context is an AI Competence Framework, which aims to establish a shared understanding of AI competence within the judiciary. It defines key areas of AI competence and their levels, while also creating AI competence profiles (or persons) to identify the AI competence needs of the judiciary. This framework will help in developing and planning relevant training and educational measures.

The German Judges Association considers it important that the state justice administrations agree on uniform standards for teaching AI skills. The expertise of judges' representatives and judges' associations should also be taken into account in this process.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

No. The final decision and accountability must always remain with a human being. Fully automated decision-making using artificial intelligence would not be compatible with the constitution, according to which judicial power is entrusted to judges (Art. 92 German Basic Law – Grundgesetz).

The German Judges Association is calling for the introduction of high-performance and practical AI support systems to assist in the preparation of decisions. However, the actual decisions themselves must remain the preserve of humans.

Hungary/Hongrie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

There is currently no Hungarian legislation or binding guidance specifically applicable to courts that defines the concept of AI independently and specifically in the context of courts. However, the Artificial Intelligence Regulation (hereinafter referred to as the “AI Act”) adopted by the European Parliament and the Council on 13 June 2024¹, which is the European Union’s first comprehensive, horizontal AI regulation, is of particular importance. The Hungarian implementation of the EU’s AI Act is facilitated by Act LXXV of 2025 on the implementation of the EU’s AI Regulation in Hungary, which was adopted by the Hungarian Parliament on 21 October 2025 (hereinafter referred to as the “AI Law”. The main provisions of the AI Law entered into force on 1 December 2025 and certain parts of it will become effective on 2 August 2026. Government Decree No. 344/2025 (of 31 October 2025) on the implementation of AI Law pertaining to the execution of the EU’s AI Act in Hungary is also related to this.

Article 3 (1) of the AI Act defines the concept of an AI system, which is also applicable in Hungary: a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments.

The AI Act classifies as high-risk AI systems those solutions which are intended for use by or on behalf of judicial authorities and are designed to support the identification and interpretation of factual and legal elements and the application of the law to specific cases. According to the explanatory memorandum to the AI Act, the classification of AI systems used in the administration of justice as high risk is justified in order to protect democracy, the rule of law, and fundamental rights, in particular with regard to the assertion of the right to a fair trial and effective legal remedy.

However, those AI systems which perform purely ancillary, non-substantive judicial tasks and do not affect the course or outcome of individual cases are not rated as high-risk. These include, in particular: systems that anonymise or pseudonymise court decisions, documents or data; applications that support internal communication between staff; other administrative AI systems.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Currently, AI is not part of the operational practice of Hungarian courts. The primary reasons for this are risks associated with data protection and regulatory uncertainty, which encourage judicial authorities to exercise restraint, particularly in the European legal sphere. In Hungary,

¹ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act)

there are currently no conditions for AI to be effectively and meaningfully integrated into judicial decision-making or the support of administrative processes.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Currently, AI is not part of the operational practice of Hungarian courts. There is no legislation, public law regulatory instrument, government or ministerial strategy or guideline in Hungary that specifically sets out the framework for the application of AI in judicial decision-making. With regard to AI, the interpretative framework set out in the AI Act shall prevail.

It should also be noted that, pursuant to Act CLXI of 2011 on the Organisation and Administration of Courts (hereinafter referred to as the "Courts Act"), justice in Hungary is administered by human beings, meaning that only human judges can issue court decisions.

Government strategies dealing with AI can be regarded as the "antechamber" of AI regulation on court decisions. Right now, there are two guiding documents in Hungary:

- Hungary's National Digitalisation Strategy (2022–2030) and
- Hungary's Artificial Intelligence Strategy (2025–2030).

Hungary's National Digitalisation Strategy (2022–2030)² sets out fundamental digital-transition goals that have direct implications for the justice system. The aim of the strategy is the complete digitalisation of public services. This technological development process is in line with the European Union's digital objectives, in particular the Digital Decade 2030 programme³, which gives priority to the digitisation of public services (including courts).

Hungary's Artificial Intelligence Strategy (2025-2030)⁴ updates the national objectives in line with the new AI Law adopted in 2025 and with the EU regulations. The 2025–2030 strategy highlights the creation of an independent Hungarian Artificial Intelligence Bureau (hereinafter referred to as the "AI Bureau") to coordinate domestic AI developments and regulation, and also addresses issues related to the data economy, cybersecurity, and the AI regulatory testing environment.

Among digitization solutions, it is worth mentioning regulations that affect the Curia's case allocation system. The essence of these is the following: during the filing of cases that are received electronically, they are automatically assigned a case number without human intervention; a panel acting in the case is appointed according to a predetermined method under objective circumstances; after the panel acting in the case is designated, the members of an adjudicating panel hearing the case are appointed automatically from among the members of the panel acting in the case by means of an electronic system using a predetermined algorithm.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

² <https://kormany.hu/dokumentumtar/nemzeti-digitalizacios-strategia-2022-2030>

³ <https://digital-strategy.ec.europa.eu/en/policies/europes-digital-decade>

⁴ <https://kormany.hu/dokumentumtar/magyarorszag-mesterseges-intelligencia-strategiaja-2025-2030-1>

In Hungary, there are currently no separate, detailed regulations or guidelines specifically governing the use of AI by litigants, lawyers or other parties in the proceedings. In this regard, too, the AI Act is the primary starting point and so are the Hungarian law on its implementation and the related government decisions.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

In order to ensure compliance with the provisions of the AI Act, new bodies have been added to the state organisational system in Hungary. Although these are not directly related to the use of AI in the justice system, their activities are linked to AI-related supervisory powers.

In its Government Resolution No. 1301/2024 (of 30 September 2024), the Hungarian Government decided that the national tasks arising from the AI Act should be performed by the AI Bureau.

In February 2025, the Government appointed a Government Commissioner responsible for AI matters to maximise the opportunities offered by AI in several areas such as education, science, the national economy, healthcare, agriculture, transport, national security, defence, law enforcement, energy, industry, trade, the financial sector, public administration, and international cooperation in the field of AI, as well as to prevent the risks and dangers posed by AI [see Government Resolution No. 1028/2025 (of 24 February 2025) on the appointment of the Government Commissioner responsible for AI].

The Resolution stipulates that the Government Commissioner responsible for artificial intelligence shall be tasked with establishing the Hungarian Artificial Intelligence Council (AI Council) and directing its work. The AI Council held its inaugural meeting on 15 December 2025. The AI Council acts as a professional consultative forum that supports the domestic implementation of the EU's AI regulations. A Closing Statement was adopted at the AI Council's inaugural meeting⁵. It links the Council's tasks and objectives to the implementation issues of the AI Act and sets out the ethical and social principles, national strategic priorities, and the first annual work plan (specifically mentioning the preparation of a Hungarian AI Ethical and Social Code).

The Hungarian Government's decisions and the new institutions that are being created, such as the AI Bureau and the AI Council, will form an integrated system that can ensure appropriate oversight of the market application and development of AI. Building on the cooperation between sectoral authorities, government agencies, and other domestic actors, as well as on existing digital development efforts, this provides a stable foundation for the successful implementation of the AI Act.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

There is currently no decision by the Curia or the Constitutional Court that concerns the judicial application of AI or makes any observations in relation to it.

⁵ The Closing Statement is available at: https://www.gvh.hu/pfile/file?path=/aktualis_hirek/zaronyilatkozat_mmit_20251215&inline=true%C2%A0

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

In Hungary, there is currently no consultation mechanism that is stipulated by law and requires the direct involvement of courts in the design or introduction of AI tools. However, the Minister of Justice has recently been the addressee of two significant proposals relating to the introduction of AI tools, and these developments are indirectly related to the future use of AI tools in the justice system.

Government Resolution No. 1369/2025 (of 14 October 2025) examines measures to promote the use of AI in Hungary. The Hungarian Government has set as a priority the creation of a regulatory environment that supports the development of AI and contributes to strengthening the country's digital sovereignty and competitiveness. In the Government Resolution, it is worth drawing attention to a report that had to be prepared by 31 December 2025 with the involvement of the Minister of Justice. This report aims to promote the safe, ethical, and competitive application of these technologies.

Government Resolution No. 1403/2025 (of 4 November 2025) on the Further Development of the National Legal Database and the Related LegalAI (AI-based legal support system) constitutes a commitment to the enhancement of the efficiency of adopting and applying laws, easier navigation of legislation and judicial practice for citizens, faster overview, and secure access to reliable information through the creation of an AI-based national legal database. The legal database to be developed will be based on the processing of EU legislation, European judicial practice, and national judicial practice. The Government Resolution called on the Minister of Justice to prepare the relevant proposal by 31 December 2025.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Hungarian courts do not currently use AI tools that meet the definition of an AI system under the AI Act. Thus, the following general guidelines can be referred to in relation to the design and operation of AI.

Hungary's AI Strategy (2025-2030) states that the aim of developing a Hungarian regulatory framework for AI is to create a safe, transparent, and innovation-friendly environment for AI developments and applications, with particular regard to the use of data assets and the regulation of risky AI systems.

In light of the AI Act, the process of establishing bodies responsible for the planning, development, and regulation of AI in Hungary, as well as for its operation, has begun but has not yet been completed, and the involvement of domestic courts in this process has not yet commenced. Governmental decisions and the new planned institutions (such as the AI Bureau and the AI Council) form (will form) an integrated system that can ensure the appropriate supervision of the market application and development of AI. To this end, it is important to ensure cooperation between sectoral authorities, government agencies, and other domestic actors, as well as to build on existing digital development efforts.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to “train” on AI tools used by the judiciary?

The following can be said about the development of AI in Hungary, not specifically in connection with the relationship between the courts and AI, but in a general sense. Hungary’s Artificial Intelligence Strategy (2025-2030) points out that developments related to AI in Hungary are currently isolated and uncoordinated, and there is no actor with comprehensive knowledge of these developments. The Government’s initiatives – such as the establishment of national laboratories – have been an important step forward, but cooperation needs to be further strengthened.

Significant progress has also been made in the field of research, development and innovation (RDI), in particular with the establishment of the National Laboratory for Artificial Intelligence and the National Laboratory for Digital Heritage and the European Digital Innovation Hub for Artificial Intelligence. These organisations effectively support innovative processes and provide a significant basis for further technological development.

It is worth mentioning a development project related to the search engine for the collection of court decisions, which was renewed as part of the Hungarian Digital Court Project (2017-2019). The upgrades are ensured by AI-based decision search licenses that optimize searches, continuously “learn” from the results, and deliver increasingly accurate hits. The development resulted in the creation of a modern, easily searchable court-decision database that is built on coherent principles (Collection of Court Decisions or the BHGY in Hungarian). As a result, access to court decisions has become more efficient, and the optimized decision-search application makes searching faster and easier for clients as well.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

In general, the points of Hungary’s AI Strategy (2025-2030) should be underscored: the aim of developing a Hungarian regulatory framework for AI is to create a safe, transparent and innovation-friendly environment for AI developments and applications, with particular regard to the use of data assets and the regulation of risky AI systems.

Digitalisation developments affecting the Hungarian justice system have been in progress for many years and these developments provide a solid foundation for a possible new AI-based era. Digitalisation developments have specifically focused on access to justice: the objective is to make the court system more efficient, faster, and more accessible to citizens. As a result, digitalisation permeates the entire procedural chain: from the initiation of proceedings and electronic communication to the pronouncement of judgments and, where necessary, the enforcement of judgments and the stages of remedy. All this has made it possible to reduce the administrative burden on two levels:

- in the internal functioning of the courts, and
- in terms of the time and costs spent by clients on court procedures.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

At EU level, the personal liability of judges is not harmonised. The AI Act primarily imposes obligations on the developers and operators of AI systems. However, based on European standards of judicial ethics and human rights – in particular the right to a fair trial and the principle of human oversight – judges remain responsible for their decisions and cannot transfer decision-making to AI systems.

In Hungary, there are currently no specific regulations concerning this issue. Therefore, if a judge uses AI unlawfully, improperly, or abusively (e.g. by accepting its results without verification, violating the obligation to provide justification or data protection rules), this may give rise to disciplinary liability or, in some cases, liability for damages. The provisions on the disciplinary liability of judges are contained in Chapter VIII of Act CLXII of 2011 on the Legal Status and Remuneration of Judges (hereinafter referred to as the “Judges Act”) and the detailed rules on liability for damages are set out in Chapter IX of the Judges Act. In the absence of specific regulations, the provisions set out here are applicable for the time being. [See Section 105 of the Judges Act: professional misconduct shall mean when a judge violates the obligations stemming from his service relationship, or the judge’s lifestyle and/or behaviour are likely to harm or jeopardize the prestige of the legal system. Pursuant to Section 131 (1), judges shall be subject to financial liability for any damages caused to the employer by their willful or grossly negligent conduct or breach of the obligations stemming from their service relationship, and shall be subject to liability for the payment of restitution for any violation of rights relating to personality when so demanded by the employer.]

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Currently, AI systems are not part of the operational practice of Hungarian courts, and one of the primary reasons for this is the risk associated with data protection. According to the AI Act, the justice system is a particularly sensitive area, because AI may directly affect the rights recognized in the Charter of Fundamental Rights of the European Union (for example, the rights guaranteed in Article 47 of the Charter, as well as the requirements of judicial independence, impartiality, human dignity, and equal treatment). Therefore, it is of paramount importance to adequately address errors and distortions arising from AI systems and the risks arising from a lack of transparency. The use of AI can only be supportive in nature, and the final decision-making must remain a human-controlled activity.

The European Union’s General Data Protection Regulation (GDPR)⁶ provides a fundamental framework for automated data processing and prohibits those decisions which are exclusively based on AI and for which human intervention and the possibility of remedy are necessary. These principles ensure that AI shall not curtail procedural guarantees.

The operation of AI systems requires large amounts of often sensitive personal data, whose processing involves significant risks, including data leaks, vulnerability, and unauthorised access. When processing such data, data protection principles under the GDPR and the Charter of Fundamental Rights – in particular purpose limitation, data minimisation and accountability – must be strictly enforced. Inadequately anonymised training data poses a risk,

⁶ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, GDPR)

and if external service providers work on the system, courts may face the problem of not being able to supervise data processing.

The practice in Hungary – the operation of court systems based on internal, closed infrastructure – can be considered exemplary, but security-related auditing is essential at a systemic level. In future, courts will only be able to use AI systems that guarantee complete data security, including encryption and access control. This is why it is particularly important to anonymise data on clients and judgements.

Currently, data protection is specifically affected by the practice of anonymizing decisions in Hungary, although not from the perspective of AI, but rather from that of digitalization developments. During anonymization, metadata related to the decision is recorded, including the parties involved, the designated legal provisions and their time status, as well as keywords and a summary of the core findings of the decision. The process uses both a method of making certain data unrecognizable and the method of generalization. It is not detached from human oversight: anonymization is always approved by the head of the judicial panel before publication.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Currently, Hungarian courts primarily use digitalisation and electronic administration solutions, and there are no widely used AI systems in the sense of the AI Act in adjudicatory activities. Accordingly, security and integrity measures are more related to general IT and data protection rules and the infrastructure of e-justice. The operation of court IT systems is governed by state IT security and data protection regulations, including GDPR-compliant data processing, the use of closed, authenticated systems, access control, logging, and access restrictions. When using electronic communication and e-file systems, authenticated identification and encryption solutions are used to ensure the integrity of documents and the traceability of access.

If AI-based decision-support systems appear in judicial practice in the future, they will probably be subject to the requirements of the EU's AI Act, in particular risk management, transparency, human oversight, and quality assurance – but these currently appear in Hungarian judicial practice as a normative framework rather than as specific measures that have already been implemented.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

In the absence of specific, court-focused AI regulations, it is necessary to refer primarily to Hungary's AI Strategy (2025-2030), as the strategy gives priority to strengthening transparency requirements for AI systems used in the public sector. This requires the development of strict transparency and statutory requirements that ensure the controllability and accountability of AI applications in various areas of public administration (for example, tax administration and the justice system). The Strategy also emphasises the creation of a legally regulated environment for access that effectively limits the risks of unauthorised access and guarantees data security. The document also states that clients and citizens should be aware of the extent to which AI is involved in procedures affecting them and should be provided with appropriate opportunities to lodge an appeal, a complaint, or an objection. The purpose of these requirements is to ensure that the use of AI in the public sector is transparent, supervisable, and consistent with the protection of fundamental rights.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

The AI Act aims to promote the spread of human centric and trustworthy AI. The AI should serve as a tool for people, with the ultimate goal of increasing their well-being. The AI Act clearly states that AI systems cannot replace the discretionary powers and responsibility associated with judicial decision-making and cannot affect judicial independence. The use of AI can only be supportive in nature, and the final decision-making must remain a human-controlled activity.

The “basic law” of the Hungarian court system is in harmony with this approach. Among the basic principles of the justice system, the Courts Act states that, in Hungary, courts perform judicial functions and judges are independent. It also confirms the right to a lawful judge as a fundamental principle. In accordance with all this, justice in Hungary is administered by people, meaning that only human judges can issue court decisions.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

In Hungary, it comes under the purview of the President of the National Office for the Judiciary (hereinafter referred to as the “NOJ”) to operate a training system. This task is primarily carried out through the Hungarian Academy of Justice (hereinafter referred to as the “MIA”). The NOJ President determines the central training tasks in a central education plan that is prepared by the MIA’s Training Unit.

The central education plans for 2025 and 2026 also include AI-related focus areas. As regards the current plans for 2026, a thematic group entitled “AI at the courts” has been comprehensively formulated as the focus of training across several fields of law. In addition, a training theme specifically related to criminal law is also relevant, namely “cybercrime and artificial intelligence”. The NOJ also supports the implementation of an international training project with a target date of 2026; among these, the “ERA⁷ – The training of criminal justice professionals: digitalisation and artificial intelligence project” is relevant. In addition, a postgraduate training course in AI and technology law for judges and court secretaries was announced for the 2025/2026 academic year as part of the Werbőczy Universitas Programme. The programme aims is to support the performance of judicial administrative tasks and raise the professional standard of adjudication.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

In Hungary, fully automated, AI-based decision-making is currently not permitted in court proceedings, and there are no plans to introduce this solution for the time being. Justice is administered by people, so only human judges can issue court decisions.

⁷ European Law Academy

Nevertheless, the Hungarian legal system is familiar with the concept of automatic decision-making process. This is regulated by Section 21 of Act CIII of 2023 on the Digital State and Certain Rules for the Provision of Digital Services (hereinafter referred to as the “Digital State Act”). It is very important to clarify that, although courts are considered bodies obliged to provide digital services under the Digital State Act, court proceedings do not meet the conditions for automatic decision-making specified therein, meaning that Section 21 of the Digital State Act does not apply to court proceedings. According to the legislator’s explanatory memorandum attached to the Digital State Act, the relevant provision is primarily addressed to administrative bodies, which have the possibility of automatic decision-making under either Act CL of 2016 on General Administrative Procedure or Act XXXVI of 2013 on Electoral Procedure. However, the rules of procedure applicable to courts (Act I of 2017 on Administrative Litigation, Act XC of 2017 on Criminal Procedure, and Act CXXX of 2016 on Civil Procedure) do not refer to the automatic decision-making rules of the Digital State Act. They only refer to them in connection with registration, communication, and public documents.

TO THE SECRETARIAT OF THE CCJE

Reference is made to a questionnaire sent to CCJE-members in document CCJE (2026)1 dated 3 February 2026 for the CCJE Opinion No. 29 (2026) on the use of artificial intelligence (AI) in judicial decision making. In the following the answers for Iceland are set forth. In preparing the answers, information was also sought from the Judicial Administration, which is an independent agency responsible for the joint administration of the courts in Iceland.

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

No such legislation has been enacted in Iceland. In October 2025 the Judicial Administration (JA) in Iceland issued and sent out to all the courts in Iceland *Guidelines regarding the use of generative artificial intelligence (AI) in the courts and judicial administration*.

As regards definitions, the Guidelines apply specifically to the use of generative artificial intelligence solutions based on language models. Generative AI is defined as a system that can create new, original content, such as text, images, audio, video, or even software code, based on patterns it has learned from large amounts of existing data. It works by using advanced deep learning models that study the structure of training data and then generate new outputs that resemble it, but are not exact copies. The key characteristics of generative AI system is that it produces new data, rather than just analyzing or classifying existing data.

This definition apply both to those AI systems that are publicly available, such as ChatGPT and Microsoft Copilot, as well as those to which access can be purchased, including AI solutions specifically intended for Icelandic lawyers.

Several Icelandic companies have developed AI models specialized in the field of Icelandic law. They provide legal arguments, solutions and analyses and are intended to increase the efficiency of lawyers' work while at the same time promoting more accurate analysis and more accurate solutions to legal issues. These AI models have been trained on with various sources of Icelandic law, legal texts and case law and they assist in finding relevant legal sources, deliver legal arguments and solutions to users, and point out issues that may require further examination and analysis. Some of these companies have visited individual courts in Iceland and the Judicial Administration to present their solutions. However, no purchase agreements have been made between these companies and the JA, or individual courts.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

The basic AI systems, such as ChatGPT, Microsoft Copilot and Meta, are already accessible by all individual judges, judicial clerks and assistants. They may be used by individual judges and judicial clerks and assistants, in collecting information, such as case-law of domestic and international courts, or legal literature and provide answers to legal questions. As Microsoft Copilot is Microsoft's AI assistant built into Windows, Microsoft Office/Microsoft 365 apps, Word,

Outlook, Excel, PowerPoint it now integrated and easily accessible for all who are using the computer systems in the court system. These systems are not used in relation to judicial decision making.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

The AI systems are not used in relation to judicial decision making. The previously mentioned Guidelines by the Icelandic JA from October 2025 provide some guidance in regarding the use AI. According to Article 2 of the Guidelines their objective is to:

- a) ensure that the use of generative AI solutions respects the right of individuals to privacy and the legal provisions on the protection of personal data and the processing of personal data.
- b) ensure the protection of other confidential information and the general security of data held by courts and the judicial administration.
- c) promote the responsible use of AI solutions in courts in the interests of the credibility of the judicial system and in accordance with the requirements arising from the right of citizens to a fair trial.

Accordingly, Article 4 of the Guidelines states that all data and information derived from generative AI solutions should be treated with caution. Furthermore, it is stressed as extremely important that anyone who use AI solutions in their work reviews the answers, verifies their accuracy and origin, and seeks out primary sources.

In order to further analyze the opportunities and risks of using AI in the handling of court cases and to formulate a policy on the role and use of AI in the operations of the courts the JA, in consultation with the board of the Icelandic Judges' Association, appointed in 2025 a working group to prepare such a policy and guidelines. The group includes judges at all levels of the court system as well as an assistant district judge. The group submitted its report in December 2025 and further guidelines are expected go be issued on the basis of its proposals this spring.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No, there is no such regulation or guidance in force.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

The Judicial Administration is responsible for the joint administration of the courts. It is also responsible for the courts' information systems and handles their tendering and purchasing. The JA would be the right body to make decisions, give instructions and have oversight of the use of AI by the judiciary in relation to decision making of the courts, but no formal decisions have as yet been taken in this respect.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

There have been no such rulings in the Supreme Court or any other court in Iceland.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

No such consultation has taken place.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

The generative AI systems to which judges and court employees have access are designed by foreign IT companies such as Microsoft, Meta or ChatGPT. Icelandic courts have had no involvement in the design of such systems.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

The Icelandic judiciary has had no involvement in the development of AI systems.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

As previously discussed under question 2, some generative AI systems such as Microsoft Copilot and ChatGPT, are accessible to judges, judicial clerks and assistants. They may be used by individual judges and judicial clerks and assistants, in collecting information, such as case-law of domestic and international courts, or legal literature. As Microsoft Copilot is Microsoft's AI assistant built into Windows, Microsoft Office/Microsoft 365 apps, Word, Outlook, Excel, PowerPoint it now integrated and easily accessible for all who are using the computer systems in the court system. These systems are not used in relation to judicial decision making

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

In this respect the general rules of the Judiciary Act No. 50/2016 regarding criminal and tort liability of judges would apply. Article 53 of the Act stipulates that the actions, or lack thereof, of a judge on duty lead to the loss or damage of others, the state is liable according to general rules. As regards disciplinary liability regarding the misconduct of judges in office Article 47 stipulates that anyone who complaints over such conduct can lodge a complaint thereof to a special body, the Judicial Affairs Committee are processed according to the provisions of the Judiciary Act. The Committee can it can in its reasoned opinion, find fault with the work of the judge in question or reprimand them in accordance with further provisions of the act.

Processing personal data or other confidential data related a court case by uploading it to generative AI system may violate the provisions of Act No. 88/2008 on the Procedure of Criminal Cases and Act No. 91/1991 on the Procedure of Civil Cases, the constitutionally protected right of individuals to private life and/or legal provisions on confidentiality, privacy and the Processing of Personal Data Act No. 90/2018, which implemented the EU General Data Protection Regulation 2016/679.

There has never been a case or circumstances in Iceland related to possible liability of a judge for the use or misuse of AI in proceedings.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

In the Guidelines of October 2025 there is a clear prohibition in Article 3 that texts containing personal data or other information from court files that should be confidential shall never be uploaded to generative AI solutions. Furthermore, according to Article 3 of the Guidelines any incident that may constitute a deviation from Article 3 shall be reported to the JA, where the Courts' Data Protection Officer will assess whether it constitutes a security breach.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

No measures have been taken in this regard specifically in relation to AI.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

No, there are no specific transparency requirements.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

No specific measures have been implemented for that purpose.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

No specific training has been provided to judges for that purpose.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Fully-automated decision making by generative AI is not permitted according to the Guidelines issued by the JA. There is no intention or discussion within the Icelandic judiciary to introduce such processes.

Ireland/Irlande

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
In 2025, Guidelines on the use of AI were issued to all members of the judiciary which included a broad, general definition of AI.
2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?
Yes. To assist with efficiency and legal research.
3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
Guidelines were issued as above.
4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?
Not yet, but a Practice Direction on its use is currently being drafted.
5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?
The Judicial Council (oversight for use/misuse by Judges) and the Courts Service(responsibility for security/IT issues).
6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?
No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?
No real consultation as of yet, co-pilot only recently rolled out.
8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?
We don't have the benefit of a bespoke design/operation.
9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?
Only recently introduced.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?
For efficiency mainly and dealing with the drudge work -summaries etc
11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?
Yes, judges are individually responsible for their use/misuse and are answerable to the Judicial Council.
12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?
Individual judges responsible for such matters.
13. Where AI is used, what measures, if any, are used to ensure its security and integrity?
Security and integrity are the responsibility of the Courts Service (who manage the courts).
14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?
Not as yet.
15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?
No specific measures, individual responsibility.
16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.
Training provided in-house by Courts Service IT Dept.
17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?
N/a.

Italy/Italie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

In the Italian legal system, there is no specific definition for the use of AI that applies to the judiciary. Law No. 132 of 23 September 2025, Provisions and delegated powers to the Government on artificial intelligence¹, expressly refers to Regulation (EU) 2024/1689 in terms of definitions (Article 2, paragraph 1) for both AI systems (Article 3, point 1) and AI models (Article 3, point 63).

Therefore, the definitions are those in force in all European Union countries:

'AI system' means a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments;

'general-purpose AI model': an AI model, including where such an AI model is trained with a large amount of data using self-supervision at scale, that displays significant generality and is capable of competently performing a wide range of distinct tasks regardless of the way the model is placed on the market and that can be integrated into a variety of downstream systems or applications, except AI models that are used for research, development or prototyping activities before they are placed on the market.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

1. – Introduction.

AI systems intended to be used by or on behalf of a judicial authority to assist a judicial authority in the investigation and interpretation of facts and law and in the application of law to a specific set of facts, or to be used in a similar manner in alternative dispute resolution, are to be considered high risk under Article 6(2) of Regulation (EU) 2024/1689.

2. – The Italian law on AI (Law No. 132 of 2025) and the use of AI systems in the judicial field.

The Italian law on AI (Law No. 132 of 2025), on the use of AI in judicial activities, provides that in cases where AI systems are used in judicial activities, all decisions on the interpretation and application of the law, the assessment of facts and evidence, and the adoption of measures shall always be reserved to the judge or the prosecutor (Article 15(1)). Article 15 also contains organisational provisions, which establish that the Ministry of Justice regulates the use of AI systems for the organisation of justice-related services, for the simplification of judicial work and for ancillary administrative activities (paragraph 2) and that, until the full implementation of Regulation (EU) 2024/1689, the testing and use of AI systems in ordinary judicial offices shall be authorised by the Ministry of Justice, after

¹ <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2025-09-23;132>

consultation with the National Authorities for Artificial Intelligence, the Agency for Digital Italy and the Agency for National Cybersecurity (paragraph 3).

Finally, provisions are laid down on training (paragraph 4). The Minister of Justice, in drawing up the guidelines on the training of judges and prosecutors for the Italian School for the Judiciary (Scuola Superiore della Magistratura, SSM) (Article 12, paragraph 1, letter a) of Legislative Decree No. 26 of 30 January 2006), promotes educational activities on the subject of AI and the use of AI systems in judicial activities, aimed at basic and advanced digital training, the acquisition and sharing of digital skills, and raising awareness of the benefits and risks, including in the regulatory framework referred to in paragraphs 2 and 3 of this article. The SSM will be responsible for implementing these guidelines by creating specific training courses.

For the same purposes, the Minister shall be directly responsible for the training of administrative staff.

The legal basis for the new regulations is contained in Article 110 of the Constitution, which reserves the organisation and operation of services relating to justice to the Ministry of Justice.

A permanent observatory for the use of AI in judicial activities has been set up within the Ministry of Justice (Ministerial Decree of 10 July 2024) has been set up within the Ministry of Justice with the aim of exploring the areas of interaction between AI systems and the judiciary, with particular regard to the quality and security of databases and tools supporting judicial activity and the professions.

3. – Initial exploratory activities on the use of AI to support the administration of justice.

In 2025, the Ministry of Justice – Department for Technological Innovation in Justice launched the first exploratory activities on the use of AI to support the administration of justice.

These initiatives were developed with the utmost caution and in full compliance with constitutional guarantees, European regulations and the autonomy of the judiciary, in parallel with other similar initiatives adopted in other European countries and institutions (e.g. European Court of Human Rights, French Court of Cassation, Great Britain).

The ongoing trials do not affect decision-making processes or judicial assessments, but are aimed exclusively at improving the organisation of work, the classification of information and the accessibility of data, with particular attention to the protection of personal data.

The Ministry is continuing along this path with a rigorous and gradual approach, so that the use of AI is safe, transparent and fully compliant with the values of the rule of law.

An initial pilot project involved a targeted group of judges and prosecutors and administrative staff selected for their role within the offices to use an advanced version of Microsoft 365 Copilot. The project, structured as a series of seminars, involved judges and prosecutors and experts, an artificial intelligence-based tool integrated into the main applications of the Microsoft 365 suite associated with the justice account, with the aim of supporting judges and prosecutors, managers and administrative staff in the organisational aspects of their work and learning about the risks and benefits of its use in practice.

Following this trial, Copilot will also be included in the Office package available to all judges and prosecutors from 1 January 2026.

The Ministry of Justice² has specified that the initiative “has no impact on the decision-making aspects of the exercise of judicial functions, which remain the sole responsibility and autonomy of the individual magistrate, and is intended to support the work of judges and prosecutors”. The trial has a “cognitive and practical purpose: to allow those who wish to do so to understand directly how generative AI tools work, assess their limitations and potential, and make an informed choice”.

4. – Possible uses of AI in controlled and permitted risk activities. The CSM's recommendations on the use of AI for the administration of justice.

Based on Regulation (EU) 2024/1689, there are cases in which the use of AI can be considered controlled and permitted risk. These have been specifically indicated by the Consiglio Superiore della Magistratura (High Council for the Judiciary, CSM) in its recommendations in the resolution of October 8, 2025³.

In particular, when:

- a) the AI system is intended to perform a limited procedural task;
- b) the AI system is intended to improve the outcome of a previously completed human activity;
- c) the AI system is intended to detect decision-making patterns or deviations from previous decision-making patterns and is not intended to replace or influence human assessment previously completed without adequate human review;
- d) the AI system is intended to perform a preparatory task for an assessment relevant to the use cases listed in Annex III.

As highlighted by the CSM in its recommendations on the use of AI for the administration of justice, the following activities may be eligible for use, if they are tracked, secure, and subject to human review, and are within the scope of applications provided within the justice domain (this is a non-exhaustive list):

1. Doctrinal research: assistance in consulting databases and constructing search strings aimed at identifying relevant doctrine.
2. Summary of publicly available measures and doctrinal contributions: creation of abstracts for the classification and thematic archiving of decisions and essays, also with a view to developing internal case law databases within the office.
3. Organization of judicial work: support in drafting statistical reports on the office's performance; analysis of compliance between management programs and registry data; automated comparison of documents; drafting of reports or opinions on executive and semi-executive assignments; management of hearing schedules based on workloads and deadlines.
4. Support for so-called ‘simple affairs’ offices: assistance with serial activities of low legal complexity by drafting standardized documents to be adapted to specific cases by the magistrate or his or her colleagues.
5. Support for judicial management activities through the control of documentation (especially accounting and certification) produced in documents, where appropriately anonymized.
6. Comparison of technical solutions for file management: automated comparison of organizational practices and procedures, including between different offices, to identify critical issues or replicable best practices.

2

https://pst.giustizia.it/PST/resources/cms/documents/Nota_informativa_sperimentazione_Copilot_signed.pdf

³ Plenary resolution of October 8, 2025, <https://giuricivile.it/wp-content/uploads/2025/10/csm-uso-IA.pdf>

7. Automatic generation of slides: creation of illustrative materials from legal documents or reports, for training or informational purposes.
8. Production of tables and graphs: extraction of data from records, organization into tables, comparative analysis, and graphical representation for organizational or informational purposes.
9. Linguistic and stylistic revision of texts: proofreading of drafts to verify syntactic and spelling consistency and clarity of expression.
10. Cataloging and archiving of questions to court-appointed experts by subject: organization of requests by keyword or thematic category to facilitate consultation and reuse.
11. Preparation of hearing schedules: automated generation of schedules and agendas based on predefined criteria and workloads.
12. Assisted translation: use of AI for preliminary translations of legal texts, which are always subject to human verification.

AI can assist judges and prosecutors in consulting institutional and commercial databases, constructing complex search strings, and thematically classifying the material found. In this case, the activity takes the form of technical and organizational support, attributable to limited procedural tasks pursuant to Article 6, paragraph 3, letter a) of EU Regulation 1689/2024. However, where systems are designed to automatically select the 'most relevant' case law, to suggest prevailing interpretative guidelines, or to generate reasoning based on recurring patterns, this constitutes a use that potentially affects the assessment activity and legal guidance and therefore falls outside the scope of Article 6(3).

It is therefore necessary to exercise strict supervision on three levels: 1. the nature and architecture of the systems used; 2. the transparency of the selection and classification algorithms; 3. the active and critical role of the judge in evaluating the results. In any case, the output produced must be subject to independent evaluation and verification by the magistrate, as the sole holder of judicial power. The automation of research cannot replace the legal sensitivity necessary for placing precedents in context.

5. – Additional projects and testing carried out by the Ministry of Justice in the field of artificial intelligence.

It is also worth mentioning some additional initiatives carried out by the Ministry of Justice in the field of artificial intelligence⁴.

The **Nemesis** program, developed by the Inspectorate General, represents a significant digital innovation for the administrative and database management of the institution. The platform, accessible via the web, enables the effective management of ordinary and extraordinary inspections, thanks to a user profiling system that guarantees confidentiality and differentiated access levels. A central aspect of the project is the study to integrate AI systems, with the aim of analyzing and querying internal data in a secure and reliable manner, in compliance with national and European regulations on AI and privacy.

In 2025, the **National Anti-Mafia and Anti-Terrorism Authority** (Direzione Nazionale Antimafia e Antiterrorismo, DNAA) set up a permanent technical committee with the Department for Technological Innovation in Justice to develop an integrated database system for the organized storage of information from organized crime proceedings (known as the SIDNA-SIDDA system). These systems have been enhanced in terms of security and interoperability with other administrations, but also through the introduction of AI

⁴ Ministry report on the administration of justice for the year 2025, in https://www.giustizia.it/cmsresources/cms/documents/anno_giudiziario2026_relazione_amministrazione2025.pdf

modules. AI improves the ability to analyze, catalog, and search judicial records and information sources, making investigative work more efficient.

The **Public Sales Portal** (Portale delle Vendite Pubbliche, PVP) was designed to increase transparency in judicial sales and digitally centralize information on the assets involved. An innovative proposal involves the application of AI to automate the compilation of sales announcements and the control of published images, with the aim of verifying the presence of personal data, thus protecting the privacy of those involved.

A **pseudonymization toolkit** was also developed based on advanced AI algorithms, designed to protect sensitive data in first and second instance civil proceedings. This tool was used to pseudonymize a large number of digital proceedings filed by judges and prosecutors, making them suitable for publication in the Merit Database and ensuring a high level of privacy protection.

Among the projects carried out under the 2014-2020 PON Governance and Institutional Capacity program, it is worth mentioning the project “**Technological Support for Process Office Staff**” which provided support for the establishment and implementation of ‘Process Offices’ throughout the country, as well as improving the efficiency and performance of judicial offices and administrative structures operating in the justice sector. In this context, ‘UPP task forces’ were set up to carry out actions to improve judicial offices by experimenting with AI models.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

1. – The complex system of legal sources.

The regulatory framework governing AI in the judicial system is quite complex and consists of a variety of different sources.

In addition to the ‘hard’ law of primary sources (Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonized rules on AI and Law No. 132 of September 23, 2025, Provisions and delegations to the Government on artificial intelligence), there is a wide range of recommendations (EU Council Conclusions on the use of AI in the justice sector, 16933/24, December 16, 2024) and numerous soft law documents (including the European Ethical Charter on the use of AI in judicial systems and related areas – CEPEJ December 3-4, 20182, Opinion No. 26 CCJE: Moving forward: the use of modern technologies in the judicial sector and the documents of the Working Group on Cyberjustice and Artificial Intelligence, CEPEJ-GT-CYBERJUST) which play an important role in defining the scope within which the use of AI systems, applications, or types is possible.

The Fundamental Rights Agency has published studies and reports on relevant topics, such as the report “Getting the future right: AI and fundamental rights” and the report “Bias in algorithms – AI and discrimination.”

Alongside texts more specifically dedicated to the use of artificial intelligence—such as Regulation (EU) 2024/1689 of the European Parliament and of the Council and Law No. 132 of September 23, 2025, the first national legislation in the European Union on AI following the adoption of the regulation – further sources that need to be linked to the new legislation must also be highlighted, including those on digital justice, personal data protection, and cybersecurity, all of which must necessarily be read within the framework of reference represented by the Constitution, the Charter of Fundamental Rights of the European Union, and the European Convention on Human Rights.

It is impossible to interpret the provisions on AI without considering the complex framework in which they are set.

In particular, reference should be made to the provisions of the Italian Constitution that respond to the principles of due process (Article 111, paragraphs 1 and 2, of the Constitution), establishing that “no one may be removed from the judge naturally established by law” (Art. 25, paragraph 1, Constitution) and that “the judge is subject only to the law” (Art. 101, paragraph 2, Constitution).

This, therefore, is the fundamental role of the interpreter in recomposing this framework and making it coherent.

2. – Law No. 132 of 2025.

Law No. 132 of 2025 fits into the European framework marked by the entry into force, on August 1, 2024, of Regulation (EU) 2024/1689 and represents the first comprehensive intervention at the national level adopted after the European regulation.

The law consists of 28 articles designed to support and promote the development of AI systems which, in accordance with Regulation (EU) 2024/1689 and national government and parliamentary guidelines, are based on an anthropocentric vision, as well as on principles of transparency, accountability, fairness, and respect for fundamental rights, which ensure a balance between the opportunities offered by new technologies and the risks associated with their misuse, harmful use, and even underuse.

Concerning the judicial system, Article 15, as we have seen, sets out general rules for the use of AI systems in this area. In particular, it specifies that, even when AI systems are used, decisions concerning the interpretation and application of the law, the assessment of facts and evidence, and the adoption of measures are always reserved for the judge. Furthermore, the use of AI systems is permitted for the organization of justice-related services, the simplification of judicial work, and ancillary administrative activities. In this regard, training activities are planned for judges and prosecutors and administrative staff in the justice system.

Based on a literal interpretation of the law—which also corresponds to the ratio legis—judges are precluded from using AI systems for the interpretation and application of the law, the assessment of facts and evidence, and the adoption of measures.

Therefore, it is completely out of the picture, for example, that a prompt could be written asking the AI how it would judge the pending case.

A broad interpretation that would allow AI to be used for decision-making purposes, provided that the judge retains the final say “on the interpretation and application of the law, the assessment of facts and evidence, and the adoption of measures,” is contrary to the spirit of the law.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

AI tools—particularly generative ones—are widely used in law firms and intellectual professions in general for research, drafting, summarizing, and organizing content, affecting how the profession is practiced with all the risks associated with uninformed use.

Article 13 of Law No. 132 of 2025 lays down provisions on intellectual professions, which include not only lawyers but also all professionals who provide consulting services in legal proceedings as party-appointed or court-appointed experts. The rules stipulate that the use of AI systems in intellectual professions is intended solely for the performance of activities that are instrumental and supportive of professional activity, with a prevalence of intellectual work that is the subject of the service provided (paragraph 1). Lawyers, like experts, may

use AI tools to speed up or improve certain tasks (e.g., case law research, document analysis, drafting of documents), but automated contributions can never replace the legal assessment and argumentative skills of professionals. The law affirms the principle of the prevalence of human intellectual work in the provision of professional services.

Furthermore, there is an obligation to inform the client, as the second paragraph of Article 13 establishes that information relating to the AI systems used by the professional must be communicated to the recipient of the intellectual service in clear, simple, and comprehensive language.

Some intellectual professions, such as lawyers, have adopted guidelines for the careful use of AI and operate on an ethical basis. Central to this is the obligation of truthfulness and source control, which takes on particular importance considering the limitations of AI systems, such as the risk of “hallucinations” or the production of non-existent regulatory and jurisprudential references.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Experiments with AI in the judicial sphere must be authorized by the Ministry of Justice, which is responsible for supervising their implementation.

The CSM is responsible for ensuring the autonomy and independence of the judiciary, so it must be considered that, in this area too, the task of supervising the proper performance of judicial functions involving the use of AI falls within the prerogatives recognized by law. The CSM is responsible for assessing the professionalism of judges and prosecutors and ensuring their autonomy and independence.

If the use of AI tools gives rise to disciplinary offenses, the initiative to take disciplinary action lies with the Attorney General at the Court of Cassation and the Minister of Justice. In this regard, the heads of judicial offices have the responsibility to monitor compliance with the rules by judges and prosecutors and to report any disciplinary offenses.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

In our legal system, the Supreme Courts (Court of Cassation and Constitutional Court) have no policy or organizational role in the use of AI except within their respective courts. The Court of Cassation has the function of verifying the legitimacy of the judgments of the Courts of Appeal and within the scope of that function.

To this end, reference should be made to several judgments of the Court of Cassation on the use of AI as an aid in drafting judicial decisions.

The Criminal Court of Cassation (Cass. No. 25455/2025) was faced with a ruling by a Court of Appeal that cited, in support of the judicial decision, previous rulings on legitimacy that were ‘untraceable’ ‘despite searches even at the offices of the Supreme Court’. According to the Court of Cassation, the regional court did not comply with current guidelines, referring to unestablished principles of legitimacy or to inaccurate court rulings in the number reported. The Court of Cassation therefore overturned the decision on the grounds that the reasoning was deficient and erroneous.

The existence of decisions by the Court of Cassation, the details of which referred to judgments dealing with matters completely unrelated to the issues at stake in the dispute, is also present in another judgment of the Court (Cass. No. 1729/2026), where the defense had highlighted the inexplicable citation of case law precedents that were inconsistent with

the defense's argument. However, despite finding such errors in the contested ruling, the Court rejected the appeal, considering the defense's objections to the facts of the case to be unfounded.

In both cases, the underlying doubt was that the reference to non-existent precedents was due to the improper use of AI tools in the drafting of the document using AI software which, finding no legal basis corresponding to the drafter's argument, simply invented judgments that had never been written.

With judgment no. 34481/2025, the Court of Cassation returned to deal the issue more explicitly. According to the Court, 'there is no doubt that the use of IT tools facilitates, on a practical level, the drafting of judicial decisions'. However, AI increases the risk that the judge will fail in 'his duty to make his indispensable and irreplaceable assessment, thereby failing to act as a third party and remain impartial'.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The testing of AI systems is subject to authorization by the Ministry of Justice and supervision by the CSM. The Ministry of Justice's Department for Technological Innovation in Justice is responsible for the digitization of processes, technological infrastructure, statistics, and the management of European funds for the sector. It defines strategies for innovation, cybersecurity, and the development of telematic systems.

Judges and prosecutors are involved in the process of defining and implementing new technologies in the judicial sphere. Regular technical meetings are held between the Ministry of Justice and the CSM on the organization of offices. The CSM has called for the establishment of specific technical round tables with the Ministry of Justice on the topics of AI and the adoption by the Ministry, in agreement with the Council itself, of a strategic plan for the introduction and management of AI systems.

The Department for Technological Innovation in Justice is currently directed by and makes use of the constant collaboration of judges and prosecutors working at the Ministry.

Each Court of Appeal has a District Office for Innovation (Ufficio Distrettuale per l'Innovazione, UDI), which includes the District Innovation Representatives (Referenti Distrettuali per l'Innovazione, RID) who are judges prosecutors in the district.

The UDI is the permanent reference structure for the Council for Innovation and Computerization. The RID, as experts in these matters in the districts, in collaboration with the High Council for the Judiciary, of which they are the local bodies for technological innovation, cooperate with the Presidents of the Courts of Appeal, the Attorneys General, and the heads of the district judicial offices.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

The testing of AI systems is subject to prior authorization by the Ministry of Justice and is carried out under its supervision. Judges and prosecutors are involved in various ways in the development of projects concerning the implementation of AI systems in the judicial field through participation in technical working groups or study commissions.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

The experiments are subject to careful supervision, ensuring that they are carried out in compliance with personal data protection regulations. Preference is given to "closed" systems that prevent the external disclosure of the data entered.

Law No. 132 of 2025 delegates authority to the Government regarding data, algorithms, and mathematical methods for training AI systems, to be implemented on the proposal of the Prime Minister and the Minister of Justice (Article 16).

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

The use of AI systems, particularly generative ones, introduces new possibilities for supporting study, analysis, document management, and information flow organization activities, but at the same time raises complex issues regarding personal data protection, algorithmic transparency, and decision-making responsibility.

Without prejudice to the regulatory framework mentioned above, which consists of primary sources and soft law, the CSM has adopted recommendations on the use of AI for the administration of justice, inspired by the principles of legality, transparency, proportionality, and decision-making autonomy, in order to guarantee fundamental rights as well as the independence and impartiality of judicial action.

The recommendations aim to define the scope of application of AI systems until the introduction of systems that comply with European regulations, without prejudice to the possibility of developing applications in judicial contexts, in a protected and experimental environment under the joint supervision of the Ministry and the Council, provided that data is anonymized and traceable (as is currently the case, among others, in the courts of Bologna, Catania, and Milan).

As specified by the Council, the use of AI must be primarily aimed at freeing up time for decision-making and not just at increasing efficiency and productivity.

For the correct use of AI, the CSM indicates the need to adopt a series of operational precautions:

data and information sovereignty: *the data and information generated must never be accessible to unauthorized third parties;*

data protection: *sensitive, confidential, or investigative data must not be entered into AI systems, even indirectly. It is particularly important to consider the risk of data re-identification, even if anonymized or pseudonymized, by AI through the cross-referencing of datasets. In any case, only necessary information should be entered into AI systems;*

data quality: *the results of AI applications must be screened to ensure that they meet appropriate standards in terms of fairness. It is therefore essential to ensure the reliability and representativeness of input data to avoid outputs with results affected by so-called bias, i.e., discrimination against people based on race, religion, gender, national origin, age, disability, marital status, political affiliation, or sexual orientation;*

Supervision: *all use of AI must be supervised by the user to verify compliance with regulations on fundamental human rights, data processing, copyright, and security, as well as to verify the accuracy and reliability of the output. Human supervision/monitoring must*

correct any unreliable results, reinterpret them, or modify them. It is always necessary to verify that the conclusions provided by the AI can be replicated independently.

individual responsibility: *judges and prosecutors are required to use AI tools in an informed and compliant manner, starting with the obligation to be informed and participate in training that will be provided on the subject.*

The CSM, in accordance with the prerogatives recognized by law, is committed to making judges and prosecutors aware of the potential and limitations of AI systems, protecting the time needed for decision-making, and reaffirming the centrality of procedural experience.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Judges may incur disciplinary or civil liability for the misuse of artificial intelligence.

Non-compliant use of AI tools may also have disciplinary implications if a judge acts negligently and irresponsibly. Disciplinary proceedings are currently underway against a judge who, in the context of a second instance ruling on a tax matter, referred to non-existent precedents. The error appears to be attributable to careless use of artificial intelligence, in contravention of the relevant legislative provisions.

With the initiation of disciplinary action by the Attorney General's Office at the Court of Cassation, the examination phase is awaited, followed by the scheduling of the hearing.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

At present, until the EU Regulation is fully implemented, the only permitted use of AI systems in judicial offices is that authorized by the Ministry of Justice (Article 15 of Law No. 132 of 2025).

The unauthorized use of AI systems in judicial activities in the strict sense is therefore excluded, and the entry of sensitive data from court proceedings into generalist AI devices is prohibited. This is without prejudice to the possibility of developing applications, including in judicial contexts, in a protected and experimental environment under the joint supervision of the Ministry and the Council, provided that the data is anonymized and traceable (as is currently the case, among others, in the courts of Bologna, Catania, and Milan).

As mentioned above, the Office package available to judges and prosecutors since January 1 also includes Copilot, Microsoft's AI system, but judges and prosecutors can request its deactivation. The software in question is based, as a rule, exclusively on 'company' data from the Ministry of Justice and the magistrate's personal archive, except for the possibility of also drawing on results from the web where expressly requested, accepting the risk. To date, the only AI application authorized and officially usable by judges and prosecutors is Copilot.

The data entered into the Copilot provided by the Ministry of Justice is not acquired to feed software and algorithms outside the Ministry and does not flow into the database used by other users.

However, each user is responsible for the use of personal data and the confidentiality of the information processed.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

In authorized tests, any data is entered after anonymization.

The Copilot system used by the Ministry of Justice and provided to judges and prosecutors is a “closed” system that uses only ministerial data and the archive of each magistrate by default and does not share data outside the justice sector users. Using a “closed” system, anonymization is not necessary.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Currently, the use of AI in judicial offices is still in an experimental phase, so no specific rules on transparency have been adopted other than those deriving from the European framework of EU Regulation 1689/2024.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

The use of AI systems in judicial activities is expressly governed by Law No. 132/2025, within the framework defined by EU Regulation 1689/2024, whereby in judicial activities, all decisions on the interpretation and application of the law, the assessment of facts and evidence, and the adoption of measures are always reserved to the judge (Article 15, paragraph 1), while the Ministry of Justice regulates the use of AI systems for the organization of justice-related services, the simplification of judicial work, and administrative activities (Article 15, paragraph 2).

Outside the rules in force, responsibility for supervising the correct use of AI lies with the heads of offices, the CSM, and the Ministry of Justice. Improper use of AI that jeopardizes the autonomy and independence of the judiciary may be examined during professional evaluations for career advancement or in disciplinary proceedings.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

1. – Training on AI issues: institutional collaboration between the Minister of Justice, the CSM, and the Scuola Superiore della Magistratura (Italian School for the Judiciary).

The institutions responsible are paying particular attention to training on AI issues.

The fourth paragraph of Article 15 of Law No. 132/2025 provides that the Minister of Justice, in drawing up the guidelines on the training of judges and prosecutors for the Italian School for the Judiciary, which must then implement them in its annual program (Article 12, paragraph 1, letter a), of Legislative Decree No. 26 of January 30, 2006), promotes educational activities on the subject of AI and the use of AI systems in judicial activities, aimed at basic and advanced digital training, the acquisition and sharing of digital skills, and raising awareness of the benefits and risks, including in the regulatory framework referred to in paragraphs 2 and 3 of this article.

For the same purposes, the Minister shall also provide for the training of administrative staff. Article 24 of Law No. 132/2025, on delegated powers to the government in the field of artificial intelligence, indicated among the criteria for delegation in training ‘e) provision of education and training courses on the use of artificial intelligence systems’.

The Scuola Superiore della Magistratura⁵ (SSM), responsible for training judges and prosecutors (Legislative Decree No. 26/2006), is strongly committed to training judges and prosecutors in the informed use of AI in the various areas of its competence, both in the field of continuing education for serving judges and prosecutors and in the initial training of new judges and prosecutors, as well as in the international arena.

The policy guidelines formulated annually by the CSM and the Ministry of Justice (Article 12, paragraph 1, Legislative Decree No. 26/2006) indicate that the use of new technologies in the performance of judicial functions about the organization of judges and prosecutors' work and their influence on the trial process are among the issues worthy of further study. These include AI applied to the judicial world.

2. – Continuous training.

In the programs implemented over the last few years, the topic of AI has been addressed broadly (e.g., AI and digitization, AI and cybersecurity, AI and judicial work) and in all areas of application in judicial activity (civil, criminal, labor, etc.).

In particular, the SSM has planned a special “course cycle,” which began in September 2025 and will necessarily continue into 2026, on “The challenges of AI to law, between neo-positivist trust in technology and rethinking legal categories.” The methodology of open courses was used, with the possibility of viewing the videos at a later date, to offer training to all judges and prosecutors, to fulfill the relevant obligations and to promote a shared legal culture, including on the new tools.

This series of courses was intended to offer, in a logical and systematic order, first a general overview of the phenomenon from an IT perspective, focusing on the technical and scientific concepts of algorithms and AI, especially in terms of how they work and ‘reason’, and from a regulatory point of view, with an examination of the European and domestic sources of the so-called digital package, primarily the VAI Act, the European Regulation on AI of May 21, 2024, No. 1689/2024.

The program therefore covers all areas of substantive and procedural law, analyzing the issues that judges and prosecutors will inevitably have to deal with in the coming years. In procedural law, where a practical approach has been favored as much as possible, all aspects of digital proceedings and the use of AI in civil and criminal proceedings are explored in depth, from advisory AI for legal research on doctrine and precedents, to transcription, automatic summaries of the parties' pleadings, maximization of judgments, to the more sensitive issues of the writing of judgments decided by human judges and the so-called decision-making algorithm, which is prohibited by law and whose risks must be explained if it were to be entrusted to technology.

In substantive law, the courses aim to deepen knowledge of the rules laid down by the legislator in this regard, as well as the adaptations of traditional legal categories brought about by the new tool and the algorithmic methods already widespread in practice, precisely to offer the necessary caveats in their use and clarify the inherent risks. The underlying theme is the impact of new technologies on fundamental rights, with regard to developments in generative artificial intelligence, with the aim of spreading awareness of the opportunities and risks inherent in AI systems, which could arise from their expansion as well as their compression.

In 2026, for example, the following in-person courses have been scheduled:

P26026 – The “construction” of decision-making in the age of artificial intelligence: from reasoning to language, P26042 – Artificial intelligence, judicial function, and the rule of law; P26026 – The “construction” of decision-making in the age of artificial intelligence: from reasoning to language (with a final event also in person);

⁵ <https://www.scuolamagistratura.it/>

FPFP26004 – Business and companies between ancient themes and artificial intelligence AI;

FPFP26006 – Tax law in the age of artificial intelligence, as well as webinar courses:

P26041 The technological premises for the use of artificial intelligence systems in the criminal sector: functioning, opportunities, and risks;

P26056 – Criminal law in the age of artificial intelligence.

AI topics are also developed in courses dedicated to other subjects where it is deemed appropriate with thematic presentations.

3. – International projects.

At the international level, the SSM is involved in several AI projects with other European judicial training institutions and has proposed and participated since its inception (2023) in the creation of the Working Group on Digitalization established within the European Judicial Training Network. In the two-year period 2024-2025, numerous European initiatives on the digitalization of justice and AI were launched, including conferences, international meetings, webinars, and pilot projects. A long-term strategy (2025-2031) has been defined to promote a shared digital culture in the European judiciary, divided into phases of analysis, experimentation, monitoring, and implementation. The main objectives include the certification of digital skills (Digital Passport), innovative training programs on AI, Big Data, and cybersecurity, the development of interoperable platforms, and the adoption of digital and blended training methodologies.

Among the projects co-financed by the European Union in which the SSM is a partner are:

- **JuLIA Project – Justice, Fundamental Rights and Artificial Intelligence:** Coordinated by Pompeu Fabra University in Barcelona, it involves eleven European partners and aims to analyze the impact of AI on the work of courts and public and private institutions, with a particular focus on fundamental rights. It includes transnational training events and Justice Labs, and concluded with a final conference in January 2026.

- **JUST fAIr Project – Training European Justice Professionals in the Use of AI:** Led by the French School for the Judiciary, it aims to raise awareness and train European justice professionals in the use of AI (generative and predictive), in compliance with fundamental rights and the EU legal framework. The project, which began in 2025, is closely linked to the EJTN and the JuLIA project.

- **CivilLink Project:** Launched in 2024, it aims to improve the digital skills of judges and judicial staff in the areas of European civil cooperation, training in the use of e-CODEX, EU regulations on civil procedures and electronic notifications, and data protection.

- **SPLIT Project:** Coordinated by Vrije Universiteit Brussel and scheduled for 2026, it focuses on developing the general digital skills of judges, addressing issues such as digital justice, data protection, cross-border cooperation, and combating online crime, promoting the sharing of best practices and dialogue between legal systems.

- **TRUST-AI Project:** Coordinated by the Siracusa International Institute, this project concerns the application of AI in criminal justice, exploring issues of ethics, human rights, transparency, and security. It analyzes the impact of AI tools in criminal proceedings and the implications for the protection of fundamental guarantees, contributing to the definition of European standards on the responsible use of AI in the judicial sphere.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

As already explained, the exclusive use of AI systems in decision-making is prohibited, nor is there any intention to introduce it in the near future.

Latvia/Lettonie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

Latvian legislation, court procedural rules, and official judicial guidance do not contain a dedicated definition of “artificial intelligence (AI)” that is specific to the judiciary. Where the term is used, it is generally employed in a descriptive, practical sense rather than as a formally defined legal concept for judicial use. All future regulations will be made together with the responsible ministry in the field and the newly founded Artificial Intelligence Centre. <https://www.varam.gov.lv/lv/maksliga-intelekta-centrs>

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

AI is used in Latvia within the judiciary’s supporting functions, primarily by the Court Administration and court staff involved in document handling. Its current practical application is document anonymisation in the e-lieta (e-Case) environment, where an AI-supported tool is used to detect personal data in court documents and automatically anonymise it, reducing manual work and supporting compliant preparation of documents for publication and further processing. Currently in beta version testing there is an AI based video transcription tool as well as AI assistant for analysis of court decisions.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Judicial use of AI in Latvia, particularly in relation to decision-making, is not currently governed by a dedicated set of judiciary-specific rules or detailed official guidance. In practice, any use of AI in a court context would still be constrained by the general legal framework already applicable to judicial work, including data protection, confidentiality, procedural fairness, and the requirement that judicial decisions are reasoned and attributable to the judge. Any guidance that may be referred to tends to be high-level and principles-based, emphasising human control, transparency, and accountability rather than prescribing concrete rules for using AI to decide cases.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

At present, Latvian procedural law and court-issued practice directions do not set out specific rules on how litigants, lawyers, or expert witnesses may use AI in the conduct of proceedings.

For lawyers, however, there is professional guidance. The Latvian Council of Sworn Advocates has issued guidelines on the use of AI tools in legal practice. These focus on compliance with applicable law and professional ethics and, in particular, on maintaining confidentiality, ensuring

data protection and cybersecurity, using AI with appropriate competence and critical verification of outputs, and avoiding risks such as bias or inaccurate “hallucinated” content.¹

For other participants (such as self-represented litigants or expert witnesses), the position is generally addressed indirectly through the existing rules that already govern proceedings (for example, duties of candour, evidential reliability, confidentiality, and personal data protection), rather than through AI-specific instructions.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

In Latvia, there is no separate, judiciary-specific body dedicated solely to supervising “AI use” as such. Oversight is exercised through the institutions responsible for court administration and justice-sector digital systems. In practical terms, the Court Administration is responsible for the governance and controlled use of digital tools made available to courts through the e-lieta environment, which functions as the Court Administration’s platform for handling and processing case-related documentation and workflows. Where AI-supported functions involve the processing of personal data, oversight also follows the general legal framework for data protection, including the supervisory role of the national data protection authority in relation to compliance obligations.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

There is no publicly identified judgment of the Supreme Court or the Constitutional Court in Latvia that sets out binding standards on the appropriate use of AI by judges in judicial decision-making. Public references to AI from these institutions are, so far, found mainly in speeches, discussions, and informational materials that frame AI as suitable for supportive tasks and emphasise the need for clear boundaries and human responsibility, rather than constituting a court ruling that regulates judicial use of AI.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

Consultation takes place mainly through practical user engagement rather than through a formal, standing “AI consultation” mechanism. In the context of tools introduced via the Court Administration’s e-lieta environment, judges and court staff are involved through roll-out activities such as targeted demonstrations and training sessions that include question-and-answer segments, which provide an opportunity to raise practical issues and shape how the tools are used in day-to-day workflows. At governance level, coordination sits with the e-lieta programme structures, which are institutionally led and focused on cross-sector implementation rather than a judge-led design forum.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

¹ <https://www.advokatura.lv/sites/default/files/2026-01/Vadlinijas%20maksliga%20intelekta%20riku%20izmantosai%2013.01.2026.pdf>

Where AI-enabled functions are used in Latvia's courts (for example, within the Court Administration's e-lieta environment), the Court Administration is responsible for the design, procurement, technical development, and operation of the relevant tools, typically through its IT structures and external service providers. Judges and court staff are involved mainly as end users, contributing practical requirements and feedback through roll-out activities such as demonstrations and training. Judicial independence is preserved by keeping such tools in a supportive role and maintaining that case assessment and decision-making remain the sole responsibility of the judge

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

The tool is developed as part of the Court Administration's e-lieta environment and is configured to recognise and anonymise personal data in documents. Any training or refinement is aimed at improving the accuracy of identifying relevant data categories for anonymisation and is carried out in a controlled manner consistent with the purpose of the tool and applicable data-handling requirements.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI is used primarily to support administrative and document-processing tasks, with the aim of improving efficiency and reducing manual workload. Necessity and proportionality are addressed by limiting use to clearly defined support functions, applying it only where it adds practical value, and ensuring that responsibility for judicial assessment and decision-making remains with the judge.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

There is no specific, AI-related liability regime for judges. Any issues arising from the use of tools in proceedings would be dealt with under the existing general framework governing judicial conduct and responsibility, rather than through AI-specific disciplinary or civil liability rules.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Safeguards focus on using AI only for defined support tasks and applying existing protections for confidentiality, access control, and personal data processing. Additional measures should include clear internal usage rules, human oversight, and appropriate security and compliance checks to ensure the tool is used lawfully and proportionately.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Security and integrity are addressed through standard organisational and technical controls, such as restricted user access, role-based permissions, system logging, and controlled deployment

and maintenance within the Court Administration's IS environment. Ongoing monitoring and routine security measures are applied to reduce risks to data and system integrity

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

There are no specific judiciary-only transparency rules focused on AI. In practice, transparency is addressed through the general framework that already applies to court work, including requirements for reasoned decisions, procedural fairness, and lawful handling of information. Where AI supports administrative tasks, transparency is typically ensured through internal documentation of workflows and appropriate auditability rather than case-specific disclosures.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Measures are applied by limiting AI use to narrowly defined administrative functions, such as document anonymisation, rather than case assessment or decision-making. This reduces the risk of over-reliance, since the tool does not provide substantive legal conclusions and its output is used as a technical support step within established workflows.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Training about the general use of AI is organised by the Justice Academy (Specific institution made for court and court personal training <https://www.tm.gov.lv/lv/tieslietu-akademija>). But the specific AI tool provided by Court administration that focuses on practical use, including how to run the relevant workflow, how to review results (for example, anonymisation output), and the main points to observe on secure and appropriate handling of documents are run by the Court Administration.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Fully automated decision-making by AI is not used in Latvian court proceedings. AI-related functionality is limited to supportive administrative tasks, and judicial decisions remain the responsibility of the judge. There are no established plans to integrate fully automated adjudication into the court process.

The Ministry of Justice has drafted a bill, "Amendments to the Civil Procedure Law," which aims to address the issue of court workload by 2026 and make the examination of applications for enforcement of obligations fully automated. It is planned to abandon the judge's reasoned decision to refuse to accept an application, stipulating that the existence of restrictions will be automatically checked by the system and the involvement of the court will not be necessary. If restrictions on the acceptance of the application are found, the system will not accept such an application. However, if no restrictions are found, the system will automatically accept the application and send a warning to the debtor with a reply form.²

² More information: <https://lvportals.lv/skaidrojumi/385625-planots-pilniba-automatizet-saistibu-piespiedu-izpildisanu-bridinajuma-kartiba-2026>

Liechtenstein

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

No.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Yes, AI is primarily used for research purposes in legal databases. Specific AI tools have been set up in this regard lately. The court in Liechtenstein has purchased licences for all judges to use those tools.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

No.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

No.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The judiciary in Liechtenstein is not being consulted in this regard which is probably due to the smallness of the country. Liechtenstein usually adapts law from either Switzerland or Austria and thus we use AI tools that are created in/for these countries.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

See above. We just buy licences to use it. We aren't involved in design and operation.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Neither are we involved in developing.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

It's mainly used for research purposes which can increase work efficiency. It can also be used to phrase certain passages in decisions. Necessity and proportionality aren't being assessed.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

To my knowledge, this hasn't been any issue at all so far thus I can't give a proper answer to this question.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

I'm not aware of measures.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

None that I know of.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

No.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

No.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

We have to complete a very general online training before being able to use certain tools. We can also go to free workshops in this regard but they aren't mandatory.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

It's neither clearly permitted nor forbidden.

Lithuania/Lituanie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

ANSWER: Legislation applicable to the Lithuanian judiciary does not contain a specific definition of artificial intelligence tailored to the court system. In practice, general concepts of AI used in European Union and international initiatives and guidelines are relied upon.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

ANSWER: AI is not used for the administration of justice or for judicial decision-making. It is used only to a limited extent for auxiliary functions, such as transcription tools (speech to text) used for preparing court hearing minutes based on audio recordings, or an AI-based tool used by the Supreme Court to assist in drafting press releases on decided cases.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

ANSWER: As AI is not used for judicial decision-making, no specific regulation governing such use has been established. General rules on the use of information technologies, data protection and other applicable regulations are followed.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

ANSWER: There are no specific guidelines governing the use of artificial intelligence by parties to proceedings. General principles of procedural fairness apply. Expert institutions are not subordinate to the Judicial Council and independently determine their own requirements concerning the use of artificial intelligence.

On 2 May 2025, the Supreme Court of Lithuania updated its Recommendations for persons submitting cassation appeals and other procedural documents (<https://www.lat.lt/teismo-lankytojams/rekomendacijos-paduodantiems-kasacini-skunda-ir-kitus-procesinius-dokumentus/55>). Clause 6.3 of the Recommendations for persons submitting cassation appeals and other procedural documents to the Supreme Court of Lithuania in criminal cases and of the Recommendations for persons submitting cassation appeals and other procedural documents to the Supreme Court of Lithuania in civil cases provides as follows:

“Where a cassation appeal or part thereof is prepared using generative artificial intelligence tools, this fact should be disclosed at the beginning or at the end of the document by indicating that the cassation appeal or part thereof has been prepared with the assistance of generative artificial intelligence, and that its content has been carefully verified by the person who prepared or submitted the cassation appeal.”

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

ANSWER: Oversight of the use of AI in the judiciary is exercised through judicial self-governance and court administration bodies. There is no separate authority specifically designated for the supervision of AI use.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

ANSWER: There is no case-law of the Constitutional Court on this matter.

As indicated above, on 2 May 2025 the Supreme Court of Lithuania updated its Recommendations for persons submitting cassation appeals and other procedural documents. These Recommendations provide, inter alia, that where a cassation appeal relies on the case-law of Lithuanian or foreign courts, as well as of international courts, sufficient information must be provided to enable identification of the specific judicial decision (for example, the full name of the court, the date of the decision, the parties and the case number). Where a cassation appeal relies on sources of case-law available in electronic form, it is recommended to indicate an active link (“hyperlink”) to the cited source in the electronic environment (for example, the public Lithuanian court decisions database LITEKO, the case-law search of the legal portal “INFOLEX”, the databases of the European Court of Human Rights and of the Court of Justice of the European Union, etc.). Where reference is made for a second time to a judicial decision already mentioned in the text of the procedural document, it may be sufficient to indicate only the case number and/or the names of the parties.

However, it may be presumed that cassation appeals prepared with the assistance of artificial intelligence have been or are being submitted to the Supreme Court of Lithuania, as some of the case numbers of the cassation court rulings indicated therein do not exist.

For example: the ruling of the Selection Panel of the Civil Cases Division of the Supreme Court of Lithuania of 11 July 2025, No. DOK-2537 (Judicial proceedings No. 2-69-3-12256-2024-4).

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

ANSWER: In the judicial system, sensitive data is processed in information technology systems owned by the National Courts Administration, which is subordinate to the Supreme Court of Lithuania and serves the Judicial Council while implementing its decisions. Any significant change is coordinated with the Judicial Council; therefore, if a decision were made to start using any IT tools, including AI, the direction/decision would also be determined by the Judicial Council.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

ANSWER: The National Courts Administration is responsible for the design, development, and operation of IT products, either by hiring personnel or procuring services. It is likely that, should AI tools be more widely used in the future, a similar approach would continue to apply.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

ANSWER: At present, courts do not use any AI tools in the administration of justice. In Lithuania, several IT companies, drawing on publicly available information on legislation and anonymized court decisions, offer AI tools that could assist legal professionals in preparing documents. However, so far, the quality of these tools is not sufficient to achieve reliable results.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

ANSWER: As mentioned above, AI is used in the judicial system on a limited basis, and only for auxiliary, not justice-administering, functions. For example, a transcription tool (speech-to-text), which operates using AI, is used to prepare court hearing records and assists in transcribing audio recordings of hearings. Additionally, at the Supreme Court of Lithuania, AI is used to draft press releases.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

ANSWER: The legislation does not specifically define judges' responsibility for the proper or improper use of AI. However, improper use of AI may violate the laws of the Republic of Lithuania and the European Union, as well as the requirements of the Code of Ethics for Judges of the Republic of Lithuania, which could result in disciplinary or other forms of liability.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

ANSWER: Mechanisms for the protection of personal data, information security, and procedural rights are applied.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

ANSWER: The security of the transcription tool (speech-to-text), used to prepare court hearing records and operating based on AI, is ensured through information system security standards, access controls, and audits.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

ANSWER: Transparency in the use of AI for the execution of administrative functions is ensured in accordance with the general requirements established by legislation and applicable information technology standards. As mentioned, AI is not used for the administration of justice.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial

autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

ANSWER: AI is considered only an auxiliary tool; as mentioned, it is not and cannot be used to perform direct justice-administering functions.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

ANSWER: When needed, the National Courts Administration organizes training on the use of information systems, technological changes, data protection, the use of AI tools, and related topics. Judges are also encouraged to participate in training sessions organized by the European Commission. In recent years, such training has been held annually, with a focus on AI-related risks and data protection. The sessions are conducted by researchers specializing in the application of AI.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

ANSWER: Neither fully nor partially automated decision-making in courts is permitted, as this would be incompatible with the principle of judicial independence.

Republic of Moldova/République de Moldova

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

Until now, in Republic of Moldova, there is no legislation or any rules that provides the definition of artificial intelligence (AI) that applies to the judiciary.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Some of the judicial assistants are using AI. They are using it to find relevant laws or scan through the legal databases to identify key judgments or statutes related to a current case.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

As mentioned in paragraph 1, in Republic of Moldova there are no regulation on this topic and the use of AI is not a subject to guidance. At the same time on September 5, 2024, Moldova signed the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law. This convention will guide the country in creating a national framework for AI governance, emphasizing a human-centric approach, human oversight, and accountability.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No, there are no such kind of regulation or guidance.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

At the national level we do not have any judicial or other body established to monitor the use of Artificial Intelligence (AI).

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

Until now, there has been no specific, landmark ruling by the Supreme Court of Justice or the Constitutional Court of Moldova that defines the comprehensive, appropriate use of artificial intelligence (AI) within the judiciary.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

Considering that AI is not widely used in the judicial system of the Republic of Moldova, respectively, any specific consultations on this aspect are not carried out at the moment.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

As mentioned, given that AI is not widely used in the judicial system of the Republic of Moldova, measures are usually taken just individually and on each on each person's own responsibility. They ensure that personal data from files when using AI does not reach the public space.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Judges and court staff in Moldova are trained in thematic seminars on the use of AI. Artificial Intelligence programs are usually used to demonstrate their functionality in practice. Staff are further trained on cybersecurity measures that must be taken into account when using AI, such as deleting search history and others.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Usually, AI is used to find relevant laws or scan through the legal databases to identify key judgments or statutes related to a current case. Measures are usually taken just individually and on each on each person's own responsibility.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Even if disciplinary liability for the abusive use of AI in the justice system of the Republic of Moldova is not expressly provided for, hypothetically judges may be held disciplinary liable for the leakage of personal data when using AI or, for example, for violating the secrecy of deliberation if they use AI to find a solution to a specific case.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

As indicated above, currently in the judicial system of Moldova, protective measures are taken only at the individual level when using AI. Secure AI systems with measures like encryption, role-based access control, and AI-specific monitoring to prevent breaches and maintain reliability are just some of the measures.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

As described above, at the moment measures are taken only at the individual level and on the personal responsibility of each user.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Unfortunately, some regulations in this regard are not yet implemented.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Given that the application of AI in the Moldovan judicial system is not developed, any dependence on its use is not currently noted.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

The trainings for judges consist of practical examples of the use of AI. At the moment, the seminars consist more of training judges in the use of general aspects of AI. Often, the seminars aim more to inform judges about the possibility of using AI in their daily work. The way of searching for information and the risks to which the information that reaches AI may be exposed.

These seminars are organized within the National Institute of Justice, usually by IT and AI specialists contracted by the Institute.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

At the moment there is no express regulation on this aspect. However, automated decision-making through AI in the Republic of Moldova could involve disciplinary liability of judges for violating the secrecy of deliberation. At the same time, the judge's inner conviction will be affected, which again could lead disciplinary liability.

At the moment, there are no discussions in the Moldovan judicial system to implement automated decision-making through AI.

Monaco

I. Législation, règles de procédure judiciaire ou autres directives officielles

1. La législation, les règles de procédure judiciaire ou les directives officielles fournissent-elles une définition de l'intelligence artificielle (IA) qui s'applique au pouvoir judiciaire ? Si oui, en quels termes ?

Non.

2. L'IA est-elle utilisée par le pouvoir judiciaire, y compris par les personnes qui assistent les juges, telles que les greffiers ou les assistants judiciaires ? Si oui, à quelles fins l'IA est-elle utilisée ?

Il est mis à la disposition des Magistrats une IA française. Seuls les juges et conseillers de Cour d'Appel peuvent y accéder. Elle est utilisée à des fins de recherche jurisprudentielle. Certains Juges peuvent s'en servir pour faire des résumés des demandes des parties dans les procès civils.

3. L'utilisation de l'IA par le pouvoir judiciaire, en particulier dans le cadre de la prise de décision judiciaire, est-elle réglementée ou soumise à des directives ? Si oui, quelle est la nature et le contenu de ces réglementations ou directives ?

Non.

4. Existe-t-il une réglementation ou des directives concernant l'utilisation de l'IA par les parties à un litige, les avocats et les autres participants à une procédure judiciaire (par exemple, les témoins experts) ? Si oui, quelle est la nature et le contenu de cette réglementation ou de ces directives ?

Non.

5. Un organisme judiciaire ou autre supervise-t-il l'utilisation de l'IA par le pouvoir judiciaire ? Si oui, quel est cet organisme et quelle est la nature de sa responsabilité en matière de supervision ?

Non.

6. La Cour suprême ou la Cour constitutionnelle (selon le cas) s'est-elle prononcée sur l'utilisation appropriée de l'IA par le pouvoir judiciaire ? Si oui, quelle était la nature de cette décision ?

Non.

II. Conception, exploitation et gestion de l'intelligence artificielle (IA) par le pouvoir judiciaire

7. Dans quelle mesure le pouvoir judiciaire est-il consulté, et le cas échéant, comment, sur la décision de concevoir et de mettre en œuvre des outils d'IA destinés à son usage ?

Pas à l'heure actuelle.

8. Lorsque l'IA est utilisée par le pouvoir judiciaire, qui est responsable de sa conception et de son fonctionnement ? Dans quelle mesure, le cas échéant, le pouvoir judiciaire participe-t-il à l'une ou l'autre de ces tâches ? Quelles mesures, le cas échéant, sont prises pour garantir que la répartition des responsabilités est compatible avec l'indépendance judiciaire ?

Nous avons accès à un outil développé par un éditeur français qui est mis à disposition des professionnels du droit. Nous n'avons pas à l'heure actuelle d'éditeur monégasque qui pourrait proposer de développer une IA.

9. Lorsque l'IA est utilisée par le pouvoir judiciaire, comment est-elle développée ? Par exemple, quel matériel est utilisé pour « former » aux outils d'IA utilisés par le pouvoir judiciaire ?

Voir réponse précédente.

III. Utilisation de l'intelligence artificielle (IA)

10. À quelles fins l'IA est-elle utilisée par le pouvoir judiciaire, par exemple pour améliorer l'efficacité, la cohérence, réduire la charge de travail, faciliter l'accès à la justice ? Comment la nécessité et la proportionnalité d'une telle utilisation sont-elles évaluées ?

Faciliter les recherches jurisprudentielles et réduction de la charge de travail.

11. Les juges peuvent-ils être tenus responsables de leur utilisation ou de leur mauvaise utilisation de l'IA dans le cadre de procédures, y compris sur le plan disciplinaire ou civil ? Si oui, quelle est la nature de cette responsabilité ?

Une procédure disciplinaire pourrait être envisagée. Il n'y a pas de responsabilité civile des Juges pour leur action professionnelle. Une action en responsabilité civile de l'Etat pour dysfonctionnement de la Justice serait possible.

12. Lorsque l'IA est utilisée, quelles mesures, le cas échéant, sont prises pour protéger les droits fondamentaux, y compris les droits en matière de protection des données ? Quelles mesures devraient être prises pour garantir le respect de ces droits ?

Pour l'instant rien vu le caractère limité des outils.

13. Lorsque l'IA est utilisée, quelles mesures, le cas échéant, sont prises pour garantir sa sécurité et son intégrité ?

L'éditeur choisi (LexiNexis) est un professionnel reconnu en France et dispose de contrats avec l'Etat Français.

14. Existe-t-il des exigences de transparence concernant l'utilisation de l'IA par le pouvoir judiciaire ? Si oui, quelles sont-elles et comment sont-elles appliquées ?

Non.

15. Lorsque l'IA est utilisée, des mesures sont-elles mises en œuvre pour éviter que le pouvoir judiciaire ne dépende excessivement de l'aide fournie par l'outil d'IA utilisé, protégeant ainsi l'autonomie judiciaire ? L'autonomie judiciaire doit être comprise comme l'expertise professionnelle et les compétences décisionnelles. Si oui, quelles sont ces mesures ?

Pas pour l'instant vu le caractère limité de l'outil.

16. Lorsque l'IA est utilisée, les juges reçoivent-ils une formation spécifique à son utilisation ? Si oui, qui dispense cette formation ? Pouvez-vous décrire brièvement la nature de cette formation ?

Une formation à l'outil est effectuée lors de la première connexion au site internet.

17. La prise de décision entièrement automatisée par l'IA dans les procédures judiciaires est-elle autorisée ? Si oui, sur quelle base est-elle intégrée dans le processus judiciaire ? Si elle n'est pas autorisée, existe-t-il une intention d'introduire de tels processus et, si oui, sur quelle base ?

Elle n'est pas autorisée et pour l'instant il n'y a pas d'intention de le faire.

Netherlands/Pays-Bas

I. Legislation, rules of court or other official guidelines

1. **Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?**

No, there is currently no established definition of AI under Dutch law. The implementation law (uitvoeringswet) of the AI-Act that is in preparation, will (most likely) align with the definition provided in the AI-Act. The Judiciary itself has not set forth a definition of AI in any other type of document.

2. **Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?**

Within the process of judicial decision-making (considered high-risk under the AI regulation), the use of AI is currently not permitted because, so far, no system has been (made) available that meets the requirements of the AI regulation. Judges and their support staff are therefore not allowed to use AI in this context.

Outside of judicial decision-making, judges and their assistance may use RechtspraakGPT. This is an AI system primarily designed as a text processor for various tasks, such as drafting emails or communication messages. A limitation is that case documents and data may not be entered and processed in RechtspraakGPT because it operates in the cloud (within our own environment), and our policy is that it is not allowed to process this kind of sensitive information in the cloud.

3. **Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?**

Yes. Our current policy is that everyone working within the judiciary is prohibited from using commercial (generative) AI tools in their work. That is because we want to prevent that third parties can use our data for training purposes. This policy is aligned with the government-wide policy regarding (publicly available) (generative) AI-tools.

RechtspraakGPT has been developed as a safe(r) alternative. However, its use is subject to certain conditions. For example, it may not be used in the context of judicial decision-making because RechtspraakGPT does not meet the requirements that the AI regulation imposes on high-risk AI systems. In addition, in line with our own Cloud policy, no case files or related data may be processed using it. This also applies to personal data and other sensitive information from our organization.

4. **Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?**

The Judiciary itself does not (yet) have binding rules or guidelines specifically for AI use by parties such as lawyers and experts. This is a topic of discussion.

The professional association for lawyers NOvA (Nederlandse Orde van Advocaten) has published recommendations on the use of AI. The main point is that lawyers are themselves responsible for their use of AI.

Both the NRGD (Nederlands Register Gerechtelijk Deskundigen (Dutch Registry for Penal Law Judicial Experts)) and LRGD (Landelijk Register Gerechtelijke Deskundigen (National Registry for Civil and Administrative Law Judicial Experts) (professional associations for judicial experts) have also developed guidelines for the use of AI by judicial experts. These include requirements such as that experts must be transparent, explain why a particular tool was used, and whether a tool has been validated.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Yes, to safeguard the independence of the Judiciary as the third state power, oversight on the use of AI systems in judicial tasks will be carried out by judicial bodies, part of the judiciary. Currently, the implementation law of the AI-act is, as mentioned, still in development. This law will specify exactly how this oversight will be organized.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

Not

applicable

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

As with any information system within the Judiciary, AI tools (in the future!) are designed, developed, and implemented in collaboration with users such as judges and legal staff. We do this with small Agile teams that hold a sprint review every two weeks with representatives of the intended users. Strategic management of the IT portfolio (including AI tools) is the responsibility of IT Governance. This consists of various boards in which court executives provide strategic direction for IT developments.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Ultimately, the Council for the Judiciary is responsible for the functioning of systems, including future AI tools. Strategic management of the IT portfolio is assigned to the strategic IT Governance, which includes court executives and judge representatives. Additionally, we have a compliance framework containing various guardrails to ensure the responsible use of AI tools. Finally, an ethics committee is being established, consisting of

external scientists and internal judges, which will assess ethical issues related to the deployment of AI tools.

9. **Where AI is used by the judiciary, how is it developed? For instance, what material is used to ‘train’ on AI tools used by the judiciary?**

There is no clear-cut answer to this. It depends on the use case.

III. Use of artificial intelligence (AI)

10. **For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?**

As mentioned, there are currently no AI tools being used in the judicial domain.

For the evaluation of future use cases, the following criteria are taken into account:

- a. Subsidiarity: whether the result can be achieved by a less intrusive, non-AI methods with comparable effectiveness.
 - b. Compatibility of the AI-use case with existing laws, regulations, and ethical guidelines of the Judiciary.
 - c. Assessment of the AI use case’s contribution to achieving the Judiciary’s goals (such as access to justice).
 - d. Evaluation of feasibility, business value, and degree of innovation.
11. **Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?**

In theory, this is possible through existing paths that are not specifically drawn up and applicable for AI-use:

A disciplinary measure can be imposed if a judge “behaves in a manner that seriously undermines confidence in the judiciary.” Possible measures include a written reprimand, withholding up to half a month’s salary, suspension for up to three months, or dismissal with cause.

Liability of judges is very limited given the importance of their independence and free judgment. A judge can only be held liable towards the State (and not towards citizens) in cases of intent or deliberate recklessness. The State can be held liable for the actions of a judge in the performance of their duties. Judges are not liable for damages resulting from a judicial decision.

12. **Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?**

As mentioned, AI is currently not used in processes that affect fundamental rights of individuals. RechtspraakGPT may not be used for such purposes either.

Additional rules apply regarding data protection. Sensitive data, such as case documents and information, may not be processed in the cloud. Although third parties are not allowed to access our data according to contractual agreements, the judiciary applies strict rules as a precaution. Therefore, such data may not be processed in RechtspraakGPT, since it operates in the cloud. Furthermore, it has been decided that no personal data may be processed in RechtspraakGPT.

Use of RechtspraakGPT is linked to mandatory e-learning to ensure responsible use and awareness of the applicable framework. If someone inadvertently enters sensitive data into RechtspraakGPT, or submits a request related to judicial decision-making, RechtspraakGPT will notify the user that the request cannot be processed (contentfilter). Users are also instructed that if sensitive or personal data has been entered by mistake, the chat should be deleted as soon as possible.

More generally, we are working on a compliance framework (see also the answer to question 8).

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

It is no different than with other IT systems. For this, we have an extensive framework, partly based on [NIS2](#). For security reasons, we do not specify the exact measures.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

No, also because the use of AI in judicial decision-making is currently not permitted, meaning that AI is not used at all within the context of judicial decision-making and procedures. Mentioning this is therefore not necessary, although this may change in the future.

For matters outside judicial decision-making, there are currently no transparency requirements.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

No, as the use of AI in judicial decision-making is currently not permitted, AI is not used at all within the context of judicial decision-making and procedures.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

The Judiciary has its own training institute, the Studiecentrum Rechtspleging (SSR). SSR currently offers various learning resources on AI and AI regulation (i.e. the AI-Act) including e-learnings and weblectures. In addition: a prompt engineering training will soon be offered. There are also webinars available on AI-topics that are relevant for the judiciary, such as AI and legal proof and how AI is used in discovering and prosecuting fraud

Training specifically on AI use: To be allowed to use RechtspraakGPT, users must first complete an e-learning that explains what RechtspraakGPT is, how it works, what it may and may not be used for, and other points to take into consideration when using RechtspraakGPT.

17. **Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?**

No, and that is not currently the focus. The Judiciary's strategy¹ is to first start with low-risk processes, both from the perspective of data processing and the impact the AI-system may have on (the fundamental rights of) those involved. Examples currently being worked on are (the further development of) the earlier mentioned RechtspraakGPT (for use outside the process of judicial decision-making), possibilities in the field of legal (re)search, and a FAQ for our customer contact employees so they can find answers more easily to questions posed to the judiciary from citizens, among others. From there, logical next steps for implementing AI applications will be considered gradually. Fully automated decision-making is therefore not yet a consideration. Moreover, the AI regulation (rightly) does not allow automated decision-making in judicial decision-making.

¹ [AI for a fair Dutch judicial system](#) | [Dutch judicial system](#) | [Rechtspraak](#)

Norway/Norvège

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

There is no definition on AI in court specific legislation or in official guidance. However, the internal guidelines for the Norwegian courts define AI as *generative artificial intelligence that creates new content (such as text, images, audio or video) using advanced machine-learning models*. These guidelines emphasise that:

- such systems may assist with drafting, summarisation, and information processing
- they are not trained on internal court data and cannot access or process non-public information
- all outputs require human verification and control

AI is strictly a support tool/assistive technology, never a source of legal analysis or judicial reasoning

Establishing an AI-policy is in progress, aiming to support the policy in our AI-advisory board and the board of the Courts Administration.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Norwegian courts, judges, clerks and court staff, have access to Microsoft 365 Copilot chat, a limited version which comes with the E5 license. The use is regulated through guidelines and each of the court users need to sign a self-declaration form. The Courts Administration is also also piloting M365 Copilot within specific guidelines. The Board of the NCA will soon decide if more users will have access to Copilot and on what terms.

The Norwegian judiciary may use AI as support for administrative and preparatory purposes.

Typical administrative use for court staff may include:

- drafting outlines and preparing presentations, communication material, training modules and internal information resources;
- providing user support by offering quick explanations or guidance, often replacing general web searches;
- facilitating idea development and collaborative problem-solving;
- summarising input from multiple contributors;
- producing draft summaries and transcriptions from Microsoft Teams meetings;
- generating simple illustrations for internal use;
- assisting with writing tasks, including improving clarity and structure, adapting language to different audiences, and light proofreading of non-sensitive texts such as generic emails and administrative documents;

- supporting the development of training material and technical resources, including basic assistance with Python code;
- helping identify publicly available sources or relevant webpages on general topics;
- offering neutral “co-mediation” dialogue support in internal settings;
- analysing or evaluating both non-confidential and confidential content at a general level.

AI may be used to assist judges with preliminary case-related work, such as:

- anonymise
- short summaries or translations of publicly accessible documents;
- drafting high-level overviews of the facts and parties’ arguments based on the parties legal briefs;
- summarising factual points of disagreement prior to oral hearings;
- preparing short summaries of decisions from international courts when these are to be incorporated into domestic judgements;
- improving the linguistic clarity of a judgment once the legal reasoning has been fully developed by the judge.
- AI tools may assist judges by producing preliminary summaries, timelines, or structured overviews of large volumes of documents, solely as support for human review and preparation. Judges themselves determine which documents are relevant and must actively select and compile the document sets used in this process. Both civil and criminal proceedings.
 - The AI tools in use do not have direct access to the core case-management systems or internal judicial archives. They operate only on document collections that judges deliberately extract from the case file.
 - Norway does not have a national or local digital archive of judicial decisions that would allow AI tools to assess case materials against previous judgments. While a database (Lovdata) contains Supreme Court decisions and most appellate court judgments, it includes only limited material from courts of first instance.
 - The use of AI is strictly limited to assistive functions and subject to data-protection safeguards and mandatory human control. AI is not used for legal reasoning, assessment of evidence, or judicial decision-making, and full responsibility for all decisions remains with the judge.

AI is not used for analysing evidence, assessing credibility, preparing judicial reasoning or influencing case outcomes.

The Supreme Court has so far only used AI for administrative tasks but is looking into expanding its use.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Judicial use of AI is governed by:

- General Norwegian legislation, including GDPR;
- internal guidelines issued by the Courts Administration;

- Including specific rules for Microsoft Copilot as:
- prohibition against entering certain confidential case material;
- mandatory human quality-control of all outputs;
- requirements for transparency about use where relevant;
- explicit confirmation that AI cannot take part in legal analysis or decision-making.

These guidelines aim to ensure legality, proportionality, and judicial independence.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

The Supreme Court of Norway updated its guidance for lawyers in spring 2025, introducing specific points regarding the use of artificial intelligence in written submissions. It states that

- lawyers remain *personally responsible* for the accuracy of all legal submissions
- all AI-generated text must be independently verified
- AI tools may *fabricate legal sources* and therefore all citations must be checked manually
- AI should only be used in areas where the lawyer has sufficient competence to evaluate the output
- confidential or personal information must not be entered into external AI systems.

The mandate for our AI-advisory board states that they are to provide advice and give input to guidelines for parties and other actors regarding their use of artificial intelligence that will be approved by the NCA.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

We have established an advisory board on the use of AI. The mandate is attached.

The AI Council is an advisory body for the Norwegian Courts Administration, with the main responsibility of providing guidance on ethical and legal issues related to the development and use of artificial intelligence (AI) within the judiciary. The Council is intended to contribute to legal certainty, transparency, and the responsible use of AI, as well as to offer input on the establishment and management of frameworks and principles for AI in judicial activities.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

The Supreme Court has not issued rulings specifically on the use of AI by the judiciary.

Nevertheless, the Supreme Court has taken a normative stance through its guide for lawyers, which conveys authoritative expectations concerning the use of AI in legal practice. These include:

- the professional duty to verify sources and prevent the submission of erroneous or AI-fabricated material;
- the obligation to ensure that AI tools do not distort legal argumentation;
- the expectation that attorneys maintain control over all content and rely on traditional, authoritative legal sources.
- Thus, while no case law exists, the Court has expressed clear expectations for responsible AI use by legal professionals.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

See the mandate of the AI advisory board.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

For now only off the shelf AI tools are used by the judiciary. When or if tailormade AI-tools for the judiciary are developed, the courts will be involved| at different arenas (with judges, the court presidents and pilot courts.).

When it comes to use that has a principal or ethical side the AI advisory board will be consulted.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Not relevant at this point. None self-developed tools.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI is used for improvement of administrative efficiency and for reducing routine workload and may be used to improve the quality and efficiency by judges in their preparations for trials/hearings and the initial part of a draft decision.

Prior to implementation, the Courts Administration conducted security analyses, data-protection impact assessments, and proportionality evaluations to ensure lawful and responsible use.

See also part I, question no 2.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Judges remain fully responsible for the content they produce. Misuse of AI, such as relying uncritically on incorrect information, may trigger disciplinary consequences under existing professional standards. No separate liability regime exists for AI-related actions.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Protection measures include:

- full compliance with national procedural law and GDPR
- prohibition on processing certain confidential or personal data in AI tools;
- role-based access controls and security safeguards;
- mandatory training in safe use and risk awareness.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Security measures consist of:

- centrally administered configuration and restrictions,
- network-level protections,
- prevention of any automatic access to internal or case-related material,
- ongoing monitoring of risks by the Courts Administration and the AI Council.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Where AI is used for administrative drafting, users are encouraged to indicate such use, for instance when used to translation.

As AI is not used in judicial reasoning or judgments, transparency does not affect final decisions or published outcomes.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Having in mind that AI is not used for judicial reasoning or judgments, safeguards related to administrative and judicial support includes:

- clear prohibitions against using AI for legal reasoning, factual assessment, or evidence evaluation;
- mandatory human review of all outputs;
- training emphasising critical evaluation and the preservation of judicial autonomy.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Judges receive training through the Courts Administration, covering:

- safe and responsible use of AI tools,
- risks such as hallucinations and false citations,
- data-protection requirements,
- permitted and prohibited use cases.

Training reinforces that AI may assist with routine tasks but not make the decisions.

17. Is fully-automated decision making in court proceedings by AI permitted?

If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Fully automated judicial decision-making is **not permitted**. There are no current plans to introduce AI-based adjudication. Any future consideration would require legislative change, broad consultation, and strong safeguards for independence, transparency, and fair-trial rights.

Mandate for the AI Council (advisory board) in the Courts of Norway

Purpose

The AI Council is an advisory body for the Norwegian Courts Administration, with primary responsibility for providing advice on ethical and legal issues related to the development and use of artificial intelligence (AI) in judicial activities. The Council shall contribute to legal certainty, transparency, and responsible use of AI, and provide input on the establishment and management of frameworks and principles for AI in judicial activities.

The Council shall also maintain a societal perspective and pay particular attention to how the use of AI may be perceived by the public and external stakeholders.

Tasks and responsibilities

The Council shall provide advice on the use of AI in judicial activities. Within this area, the Council shall:

- Provide advice and express opinions on frameworks for the use of AI.
- Raise and discuss fundamental and ethical issues related to the use of AI.
- Provide advice and concrete input to guidelines for the use of AI.
- Provide advice and concrete input to guidance for parties and actors in their use of AI.
- Provide advice on the consequences of national and international regulation.
- Provide advice and input regarding participation in research related to the use of AI.

Composition and term of office

The AI Council has seven members: one from the Supreme Court, two from the courts of appeal, three from the district courts, and one from the land consolidation courts. At least one of the judges must hold a leadership position. The representative from the Supreme Court shall serve as the Council's chair.

The members and chair of the AI Council are appointed by the Board of the Norwegian Courts Administration based on a recommendation from the Director.

Members are appointed for a term of three years. At the first appointment, three of the members shall have a term of two years.

Working methods

The Norwegian Courts Administration serves as the secretariat and prepares agendas and cases based on input from the Council, the NCA, and the courts.

The AI Council meets at least three times per year. Dialogue and discussion beyond the formal meetings should be expected.

The secretariat should, in consultation with the Council, obtain input from relevant communities as needed.

Poland/Pologne

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

On 2 February 2025, Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 (the so-called "AI Act") came into force in Poland, which is designed to comprehensively regulate the use of artificial intelligence systems in the European Union. In February 2025, Poland has started to apply Chapters I and II of the "AI Act". From June 2, 2025 Poland has started to apply the next chapters of this regulation. At the same time, the Ministry of Digital Affairs began work on a draft law on artificial intelligence systems.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Artificial intelligence (AI) is used in the Polish justice system to a very limited extent and in unregulated manner, but its practical role – including support for judges' assistants – seems to be systematically growing. AI-based tools are mainly used to automate simple, repetitive activities, which is intended to relieve the burden on support staff in courts. AI can help in analysing documents, searching for similar rulings, and monitoring changes in legal acts. Artificial intelligence is also used to anonymize and transcribe court documents and to create minutes of hearings (speech-to-text transcription). Work is currently underway on the implementation of the MoJ pilot project "Digital Assistant to the Judge", which is to support judges in Swiss franc loans cases, automating office processes and facilitating access to files.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

According to the concept, artificial intelligence is supposed to help perform repetitive tasks in courts and possibly assist judges in performing their daily work, but without entering the sphere of independence of courts and independence of the judge. Any "judicial decision making" will continue to be made exclusively by judges.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

Professional self-governments in Poland (the National Chamber of Legal Advisers and the Supreme Bar Council) have developed recommendations on the use of AI tools (e.g. ChatGPT, Claude) in the first half of 2025. Uncritical trust in AI and the introduction of references to fabricated rulings (so-called AI hallucinations) in the legal papers lodged with the court may be considered gross negligence and even lead to liability for damages due to the advocate's action violating due diligence towards the client, thus leading to his disciplinary liability. It is also prohibited to enter data identifying parties, sensitive information from court case files or non-anonymized protocols into public AI services. It should also be mentioned that there are already large law firms in Poland that use their own non-public AI services designed for their specific

needs. As far as forensic experts are concerned, it seems that an expert opinion generated by AI, which concerns key judicial issues, is inadmissible. The opinion must be the result of human expertise, otherwise it may be effectively challenged in the course of a court proceedings.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

The Ministry of Justice is to be responsible for the direct implementation of AI tools in courts (e.g. the "Digital Assistant to the Judge") and the development of standards. The Department of Informatization of the Ministry of Justice monitors the impact of AI on court proceedings. The Ministry of Digital Affairs is a key partner in digital transformation and cybersecurity, as per agreement signed with the Ministry of Justice on 28 April 2025. In addition, as part of the implementation of the "AI Act", the minister responsible for computerization is to become the main notifying and supervising authority. Work is also underway to establish the Artificial Intelligence Development and Safety Commission (KRiBSI) as a specialized body (super-regulator) to act as the main contact point and market surveillance body. The President of the Office for Personal Data Protection supervises the protection of personal data in AI systems.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

By March 2026, neither the Supreme Court nor the Constitutional Tribunal in Poland have issued a ruling concerning the use of artificial intelligence by the judiciary.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

In Poland, only initial consultations, conferences and conceptual work with the participation of representatives of the judiciary (judges, prosecutors, experts) are taking place in the field of introducing artificial intelligence (AI) tools into courts. These efforts aim to modernise the judiciary as part of broader digitalisation, and judges are engaged as practitioners to ensure that AI acts as a support rather than a substitute for human adjudication. The Ministry of Justice, in cooperation with the Ministry of Digitization, is working on digitization, including the use of AI to automate repetitive activities. One of the main projects is a "virtual assistant to a judge", which is to support judges in analysing files, knowledge bases and rulings, which is done with the participation of the legal community. Debates with the participation of judges are organized (e.g. the "Ius ex silico" conference in Warsaw), during which legal and ethical standards for the use of AI in courts are discussed. Judges participate in working groups on AI (e.g. at the Ministry of Digital Affairs) to discuss the implementation of tools such as real-time speech recording systems. The main assumption of the discussion is that AI is supposed to adapt to the lawyer (make work easier), not the other way around, and must be subject to strict standards.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

At the moment, AI is not officially used in courts. The first widespread use of this type of technology is expected to take place no earlier than 2029, before that, only test implementations are possible, in a limited area and in a limited thematic dimension. As described in the answer to

question number 7, conceptual work is underway on the implementation of artificial intelligence as an aid in performing repetitive tasks in courts. Judges participate in this work, but the units responsible for the course of work are: Ministry of Justice in cooperation with the Ministry of Digital Affairs (executive power). When it comes to judicial independence, as already indicated - AI is supposed to adapt to the lawyer (judge) and facilitate work, not the other way around and must be subject to strict standards.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

For the time being, projects on the implementation of artificial intelligence in the judiciary are only being initially developed. The trainings are also conceptual, introductory and largely based on theoretical considerations.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Conceptually, artificial intelligence is supposed to help perform repetitive tasks in courts and possibly assist judges in performing their daily work, but without entering the sphere of independence and independence of the judge.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

It seems that the only possibility in which judges could be held disciplinary responsible for the use of artificial intelligence would be a situation in which AI would be used in violation of the sphere of independence and independence of the judge.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

At the moment, due to the solely conceptual nature of the work on the implementation of AI in the judiciary, there is no information, yet, on what measures will be taken to protect fundamental rights, including data protection.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

At the moment, due to the conceptual nature of the work on the implementation of AI in the judiciary, there is no information on what measures will be taken to ensure the security and integrity of AI.

It can only be mentioned that the Ministry of Justice is working on a new Electronic Writ of Payment Procedure (EPU) 3.0. The new EPU is to eliminate the possibility of entering incorrect data by integrating with external registers and using dictionaries. The Ministry is also working on creating a central repertory and office system for all courts in the common judiciary. By digitizing files and automating the verification of data correctness, the effective operation of the system is to be ensured. However, there is no information yet on what measures will be taken in this regard to ensure the security and reliability of these functionalities.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

At present, due to the solely conceptual nature of the work on the implementation of AI in the judiciary, there is no information yet on what transparency requirements on the use of AI will be applied by the judiciary and how they will be enforced.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

At present, due to the initial phase and conceptual nature of the work on the implementation of AI in the judiciary, no measures have been implemented to prevent the judiciary from over-relying on the support provided by the AI tool. On the other hand, the conceptual assumptions imply that AI is to perform only an auxiliary function.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

In April 2025, a training session was held for judges and court officials from district, regional and appellate courts from the Gdańsk and Warsaw Appellate Courts' area of jurisdiction. However, it concerned the entire "Digital Court" program (which was to be one of the elements of the implementation of the Digital Service Act), and AI topics were only one of the topics of these trainings.

Currently, in September and October 2025, the National School of the Judiciary and Public Prosecution hosted the first pilot trainings on the use of artificial intelligence in the work of judges and prosecutors. The trainings covered legal regulations concerning the use of AI in the judiciary, personal data protection, transparency of algorithms, legal liability and risks in the use of AI. The main part of the classes consisted of practical exercises, consisting in the use of large language models (LLMs), such as: Chat GPT, Notebook LM, Perplexity, Gemini or Deepseek.

The participants of this training activities, together with the lecturers, also focused on the questions of how, to what extent and for what tasks artificial intelligence could be used in courts and to what extent in prosecutors' offices; where to store data, how to solve legislative, organizational, technological and financial problems, as well as how countries such as: Estonia, The Netherlands, Great Britain, China or the USA deal with AI introduction.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

It seems that fully automated decision-making in court proceedings by artificial intelligence will not be possible in the Polish legal system, as such a solution would violate the basic provisions of the constitution, which directly implies independence of courts and judges, and the fact that it is the courts (and judges in their adjudicating panels) which issue judgments on behalf of the Republic of Poland.

Portugal

I. Legislation, rules of court or other official guidelines

1. **Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?**

There is currently no statutory definition of artificial intelligence that is tailored specifically to the judiciary or to judicial decision-making in Portugal. Courts and judicial councils work with the general, cross-sector definition in the EU Artificial Intelligence Act and with the broad concepts used in European and international soft-law instruments (Council of Europe / CEPEJ, OECD, UNESCO), which are not judiciary-specific.

In practice, official guidance for the justice sector (such as the CEPEJ Ethical Charter and, more recently, the CEPEJ guidelines on generative AI) speaks of AI in functional terms, as a family of rapidly evolving computational techniques capable of performing tasks traditionally requiring human intelligence, without creating a separate legal definition for courts. The new Ethical Charter for Administrative and Tax Courts similarly regulates the use of AI in that jurisdiction but focuses on principles and risks (e.g. algorithmic discrimination, prohibition of fully automated decisions), rather than introducing a distinct, technical definition applicable only to the judiciary.

2. **Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?**

Yes. AI-based tools are already used within the Portuguese judiciary, but only as support instruments and not to replace judicial decision-making.

In practice, AI is mainly used to digitise and convert rulings into searchable text through OCR, to anonymise court decisions for online publication through tools developed for the Supreme Court of Justice and Appellate Courts under protocols with the High Judicial Council and Superior Courts along with broader justice projects, and to improve search and access to jurisprudence databases by providing advanced functionalities that help judges and court staff locate similar cases and relevant legal provisions more quickly.

Projects under development also foresee AI-assisted summarisation and decision-support features, such as generating case summaries or highlighting relevant jurisprudence, but the assessment of facts and law and the final decision remain strictly with the judge.

Of course, on an individual basis, the use of AI tools exists but without any institutional umbrella.

3. **Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?**

Judicial use of AI in Portugal is not yet governed by a single judge-specific statute, but it is framed by European and international reference instruments, the EU AI Act, and emerging national soft law for the courts.

At international and European level, key benchmarks such as the CEPEJ European Ethical Charter (2018), the OECD AI Principles (2019), the Commission strategy “Artificial Intelligence for Europe” (2018) and UNESCO’s 2021 Recommendation promote human-centric and trustworthy AI, respect for fundamental rights, transparency, non-discrimination, robustness and security, and accountability of human decision-makers.

Within EU law, the AI Act (Regulation (EU) 2024/1689) now provides a harmonised framework for AI, including in justice. While not court-specific, it lays down binding requirements, notably for high-risk systems, covering risk management, data quality, transparency, human oversight and fundamental-rights safeguards, as well as prohibitions for certain practices.

In Portugal, these standards are complemented by soft law. CEPEJ materials, including guidance on generative AI, have been disseminated nationally and inspired the Ethical Charter for AI in the Administrative and Tax Courts, approved in March 2025, which sets principles such as human control, transparency, non-discrimination and personal data protection. The High Judicial Council has also moved toward institutional governance, announcing work on recommendations following concerns about alleged AI use in a ruling and, through an internal monitoring working group, submitting to the Plenary proposals for recommendations on AI use and for a supervisory structure.

Against this background, any AI use that may influence judicial decision-making is expected to follow core principles: effective human control and non-substitution of judges; full judicial responsibility for decisions; compatibility with judicial independence; respect for fundamental rights, especially effective judicial protection, equality, non-discrimination and data protection; confidentiality and security of judicial data; precautions against algorithmic bias; proportionality and limited use as a support tool; and training to ensure informed and critical use.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

There is no specific binding procedural regulation yet that comprehensively governs the use of AI by litigants, lawyers or expert witnesses in Portuguese court proceedings.

In practice, their use of AI is framed by general law (EU AI Act, data protection, professional secrecy, lawyers’ ethical duties) and by emerging soft-law instruments and professional guidance. Law firms and lawyers increasingly use AI tools (including generative AI) for legal research, drafting and document review, but under duties of confidentiality, human oversight and responsibility for the final work product.

At European level, the CEPEJ guidelines on generative AI in the justice sector, recently translated and disseminated nationally, explicitly address “professionals of the forum” and set expectations of legal certainty, transparency, respect for fundamental rights and strict auxiliary character of AI, which are presented as applicable to all actors in proceedings, not only judges.

So far, there is no separate, judiciary-issued code specifically for litigants’ and experts’ use of AI; instead, existing ethical and procedural duties are interpreted as covering AI-assisted

conduct, with the expectation that more detailed sectoral guidance may develop as the EU AI Act is implemented.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

There is no single, specialised national authority that exercises external, judiciary-specific oversight over the use of AI by judges, but several bodies have relevant roles, and internal judicial governance structures are emerging.

At system level, the Ministry of Justice oversees the implementation of digitalisation initiatives in the justice sector, including AI-based tools (for example anonymisation software), with attention to coordination between judicial councils and executive bodies. Under the EU AI Act, Portugal has also designated national supervisory authorities for high-risk AI systems, which include justice-relevant applications, although their mandate is horizontal and not limited to the judiciary.

As previously mentioned, the High Judicial Council has created a Working Group on Artificial Intelligence within the common courts. This group has submitted proposals to the Plenary, recommending that the CSM adopt guidelines on the use of AI in judicial activities, and establish a supervisory and monitoring structure for AI use in courts. This envisaged structure is intended to provide internal oversight, guidance and follow-up regarding how AI tools are deployed and used by judges, in line with guarantees of independence, responsibility and protection of fundamental rights.

At European level, the CEPEJ's Artificial Intelligence Advisory Board and its Resource Centre on Cyberjustice and AI provide a form of soft, transnational oversight, by mapping AI tools used in European judiciaries, issuing guidelines and recommending evaluation and auditing practices, which are relevant benchmarks for the Portuguese judiciary as well.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

As of the publicly available case-law, neither the Supreme Court of Justice (STJ) nor the Constitutional Court (TC) has issued a leading ruling setting out a dedicated set of standards on "the appropriate use of AI by judges" in judicial decision-making (for example, on when a judge must disclose AI use, what AI tools may be used to draft reasoning, or how AI outputs may be relied upon as part of the merits analysis).

That said, the Constitutional Court has addressed algorithmic systems used within the judiciary's environment, most notably in the context of electronic case allocation/distribution. In [Judgment no. 640/2024](#), the TC discusses the growing use of sophisticated algorithms in judicial administration and stresses the need to frame such tools within the judicial function without undermining its essence, highlighting concerns around opacity and the need to ensure that the system complies with the legal requirements governing distribution (including credibility and control of how the algorithms operate in practice). This is not a ruling on AI-assisted adjudication, but it is relevant as it shows the Court's sensitivity to transparency, legality and safeguards where algorithmic tools are embedded in judicial processes.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The judiciary is involved in the design and implementation of AI tools to a significant, though still evolving, extent, mainly through judicial governance bodies and targeted consultation mechanisms.

In practice, for projects such as the IRIS initiative at the Supreme Court of Justice (jurisprudence database and anonymisation tool), the Supreme Court itself acted as the commissioning authority and worked closely with the academic and technical partners throughout the project, ensuring that the tool reflected judicial needs and workflows.

Under the Justiça+/GovTech Justiça and PRR programmes, the Ministry of Justice consults judicial councils and court representatives on the design of AI-enabled tools (notably anonymisation and advanced search), although coordination between the Ministry, judicial governance bodies and IT agencies has at times shown gaps that reforms now aim to correct.

Within the common courts, the High Judicial Council has created a Working Group on Artificial Intelligence that supports the CSM in the formulation of recommendations; this gives the judiciary an institutional channel to be heard and to influence choices about which AI tools are developed, how they are configured, and under what conditions they may be used by judges.

The Appellate Courts in Portugal – mainly Court of Appeal of Porto – has a protocol with a private company (Data Juris) to anonymize court decisions before publication. The software incorporated AI-enabled tools and its development is founded in the cooperation of the Court with the engineers responsible for this “anonymizer” tool. This project allowed the Court to find a more robust anonymization of the cases and to publish them in the database in a greater number and in a much shorter delay.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

In Portugal, the judiciary is consulted on the design and roll-out of AI-enabled tools to a meaningful but not fully uniform extent. Consultation tends to be organised on a project-by-project basis and is often embedded in operational cooperation rather than framed as a single mandatory, standardised step for every AI deployment.

In practice, when tools are developed within the justice IT ecosystem, judicial input is commonly gathered through direct engagement with magistrates during needs assessment, pilot testing, phased implementation and training, with iterative feedback used to refine functionalities.

Consultation becomes more structured when AI tools intersect with areas of judicial governance (particularly where transparency, publication of decisions, anonymisation and personal data safeguards are at stake) because these domains typically require institutional

coordination and alignment with criteria and guidance in which judicial bodies, notably the High Judicial Council, are involved.

9. **Where AI is used by the judiciary, how is it developed? For instance, what material is used to ‘train’ on AI tools used by the judiciary?**

Where AI is used by the Portuguese judiciary, development has so far been largely institution-led, typically within the justice digital ecosystem coordinated by IGFEJ/Ministry of Justice, sometimes with support from research partners, and rolled out through pilots and phased adoption. The best documented example is the AI-assisted anonymisation of judicial decisions, which IGFEJ describes as relying on machine-learning/AI models that detect and replace personal data in decisions to facilitate publication while protecting privacy.

As regards the material used to train these tools, public documentation generally does not disclose detailed datasets, annotation methods, or model architectures. What can be stated safely is that tools like anonymisation necessarily depend on large corpora of Portuguese judicial decisions and, in practice, on examples of correctly anonymised outputs (or equivalent labelled/validated instances) so the system can learn to identify personal identifiers and apply the required redaction patterns.

Beyond anonymisation, IGFEJ has publicly referred to “AI mechanisms” used for search within the *Magistratus* interface (Court Case Management System), which indicates that development is aimed at improving retrieval and navigation of information already held in judicial systems, rather than replacing judicial reasoning; however, the specific training material for these search mechanisms is not publicly detailed.

Alongside these operational tools, Portugal also has research/development initiatives linked to the judiciary, such as the Supreme Court’s IRIS project (developed with an external research team), which illustrates that some AI development in the justice field is pursued through structured R&D partnerships (typically using collections of judicial decisions and related metadata for language processing and information retrieval tasks). This project is still in an early stage.

III. Use of artificial intelligence (AI)

10. **For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?**

In Portugal, the most clearly documented uses of AI in the judicial ecosystem are assistive and workflow-oriented, not systems that determine case outcomes. The main purposes are to improve efficiency and reduce workload by automating repetitive tasks and improving document and case handling, to improve access to information by supporting legal research and navigating large digital case files, and to improve timeliness and quality by freeing judges to focus on fact-finding, legal qualification and reasoning. This aligns with Portuguese judicial debate and empirical studies, which point to AI’s potential to improve access to courts, accelerate proceedings and enhance the quality and fairness of adjudication, particularly when used at a support level, such as document management, legal research and drafting assistance. It also matches priorities identified by judges for

automation, including calculating deadlines, determining territorial jurisdiction and routine calculations.

Consistency is generally pursued in a flexible way, through improved access to precedent and sources, rather than through predictive or outcome-recommending tools. The prevailing view is that AI may assist with computational or information-heavy tasks, but decision-making remains human, including the assessment of evidence, legal subsumption and final judgment.

In practice, necessity and proportionality tend to be assessed through a risk-based, function-based approach. Use should be limited to what is needed for a legitimate operational objective, the system should preserve meaningful judicial control with critical review and validation of outputs, and data use should respect minimisation and confidentiality constraints, especially for personal and sensitive information. Guidance stresses verification of facts, sources and citations, management of hallucination risk, and strict control of what data is used in prompts and workflows. Proportionality is also tied to testing, supervision and ongoing monitoring, with periodic review and updating to prevent systematic errors and bias, particularly where tools materially affect procedural handling

11. **Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?**

Yes. In Portugal, a judge's use or misuse of AI in proceedings can lead mainly to disciplinary liability and, in limited cases, civil and criminal liability. As a rule, judges cannot be sued by litigants for the content of their decisions, but they remain accountable for professional conduct connected with judicial functions, as recent practice of the High Judicial Council shows.

The High Judicial Council has already opened disciplinary proceedings against judges suspected of using AI tools such as ChatGPT to draft judgments, particularly where non-existent legislation or case law was cited or AI outputs were not properly verified. Such cases typically stem from complaints alleging breaches of duties like diligence, accuracy, independence and the integrity of judicial decisions.

Disciplinary liability is therefore the most realistic avenue. If AI use breaches duties such as diligence, competence, confidentiality, procedural fairness and equality of arms, or the duty to issue a reasoned decision grounded in the case file, disciplinary action may follow under the Statute of Judicial Magistrates.

Civil liability usually operates through State liability for harm caused in the exercise of public functions, including judicial error in legally defined circumstances. The claim is normally against the State, although the State may exceptionally seek recourse against a judge where there is intent or gross negligence.

Criminal liability is exceptional and arises only if the conduct fits a specific offence, for example unlawful disclosure or misuse of confidential information. Emerging guidance from the High Judicial Council, together with CEPEJ principles and ethical charters, reinforces that judges retain full responsibility for judgments and must ensure rigorous human verification of any AI-generated content.

12. **Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?**

In the Portuguese judicial ecosystem, where AI is used, the main safeguards for fundamental rights, including data protection, are designed to ensure that judicial decision-making remains human-led. These safeguards also aim to guarantee strict confidentiality and data minimisation, as well as reducing the risks of disclosure when judicial texts are processed. In practice, this involves providing judges with guidance and internal practices that require them to verify and validate any AI output, including facts, sources and citations. It also involves cautioning them about what case-related information may be introduced into AI tools.

It also involves developing and using pseudonymisation and anonymisation tools and criteria to support the publication of case law while protecting personal data, as well as coordinating privacy standards at an institutional level. Furthermore, algorithmic tools are expected to undergo testing prior to deployment, as well as being monitored and periodically reviewed during operation, to prevent systematic errors and bias.

To strengthen compliance, safeguards should be systematic and enforceable, ensuring human-led decision making, strict data governance, robust quality controls, full traceability with monitoring and audits, and transparency and contestability whenever AI materially affects procedural handling.

13. **Where AI is used, what measures, if any, are used to ensure its security and integrity?**

Where AI is used in the Portuguese judicial ecosystem, security and integrity are mainly supported by controlled use and operational safeguards. In practice, priority is given to preventing unauthorised disclosure and “data leakage” through clear rules on what information may be introduced into AI workflows and by reinforcing privacy-conscious handling by users. Security and integrity are also treated as a lifecycle requirement, meaning tools should be tested and supervised before deployment and then monitored, controlled and improved during operation to avoid systematic errors or vulnerabilities at scale.

To strengthen this framework, measures should be standardised, including secure and segregated environments, strong access controls, encryption, logging and audit trails, change management and version control, regular security testing and vulnerability management, continuous monitoring and incident response, and periodic independent reviews of reliability and system behaviour.

14. **Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?**

In Portugal, there is no single, specific AI disclosure rule requiring judges to state, in every case, whether AI was used. Transparency requirements are instead derived from general duties of reasoned decision-making, data-protection and publication rules, and governance and professional guidance. In practice, transparency is most evident in the context of publishing case-law, where decisions are subject to pseudonymisation criteria that operationalise how openness is reconciled with privacy, and where AI-supported

anonymisation is presented to increase access to published decisions while protecting personal data.

In the specific context of AI-assisted adjudication, the fundamental transparency expectation is that any automated tool remains under human control. This means that judges must be able to justify their decisions based on the case file and applicable law, rather than relying on opaque, automated outputs. This requirement aligns with the European ethical guidance for AI in judicial systems.

Enforcement is primarily indirect and multi-channel. It is achieved through institutional governance and operational controls over tools and publication standards, data-protection compliance mechanisms, and professional accountability. The latter is invoked if AI use undermines reasoning, introduces errors or bias, or breaches confidentiality.

15. **Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?**

In the context of AI's integration within the Portuguese judicial ecosystem, measures to mitigate excessive reliance must be firmly rooted in a clear model of human oversight. This ensures that AI never becomes a substitute for judicial expertise in assessing evidence, applying the law, or drafting the operative reasoning of decisions.

In practice, this necessitates workflows in which AI outputs are treated strictly as non-binding assistance, in combination with mandatory critical verification by judges, and with organisational rules that limit AI to bounded support functions. The EU AI Act framework reinforces this approach by placing strong emphasis on human oversight, transparency and record-keeping, and by introducing AI literacy obligations, which are particularly relevant to preventing automation bias and preserving professional decision-making skills.

To protect judicial autonomy in a more concrete manner, it is recommended that safeguards include training focused on the limits and risks of AI outputs, internal policies on acceptable uses, and technical governance measures such as logging, traceability, and controlled environments that prevent informal use of non-authorized tools on case materials. These controls also make it possible to detect patterns of dependency and correct them through supervision and continuous improvement.

The importance of enforceable safeguards is highlighted by the fact that Portuguese practice has already seen public controversy around suspected use of AI-generated text in appellate decisions. This illustrates the reputational and trust risks that arise when judicial reasoning appears to be delegated to opaque automation rather than grounded in judicial expertise.

16. **Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.**

Yes. Where AI is used or introduced in the Portuguese judicial ecosystem, judges receive AI-related training, although it is typically delivered through a mix of initial and continuous formation and targeted initiatives rather than as a single, uniform national course.

At national level, the Centre for Judicial Studies (CEJ) is the primary provider, as it is the national institution responsible for initial and ongoing training of judges and public prosecutors, and it has hosted and publicised specialised seminars on digitalisation and AI in criminal justice with European partners such as ERA.

The High Judicial Council contributes through more targeted awareness and guidance initiatives, including newsletters and practical materials intended to build “AI literacy” and safe-use habits within the judiciary.

Training is also supported through European Judicial Training Network (EJTN) cooperation, which provides access to specialised workshops and cross-border programmes, including initiatives developed with UNESCO on AI and the rule of law aimed at equipping justice professionals with practical understanding of AI uses and their legal and human-rights implications.

In brief, this training tends to combine technical literacy with practical and ethical competence. It covers the fundamentals of AI and generative AI, with a focus on limitations such as bias, error and hallucinations; practical skills for day-to-day use, including disciplined prompting, verification routines and safe tool selection; and the legal and ethical framework relevant to judicial work, including data protection, safeguards for fundamental rights, judicial independence and the implications of the EU AI Act. It is delivered through a mix of seminars, e-learning and hands-on sessions, with the overarching objective of strengthening judges’ critical evaluation skills so that AI remains auxiliary to professional judgment rather than a substitute for it.

Some sporadic training is also provided by the Appellate Courts using the judges more skilled around technology.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

It is not permitted in any practical or institutional sense for AI to make decisions automatically in Portuguese court proceedings, and it would be difficult to reconcile with the constitutional and procedural model of adjudication. Portuguese law stipulates that court decisions must be made by an independent judge and be supported by reasoning, in accordance with judicial evaluation and accountability principles. This approach is predicated on human decision-making as opposed to “algorithmic judgment”.

Furthermore, in instances where the processing of personal data is concerned, EU data protection regulations impose stringent constraints on decisions that result in legal or similarly significant consequences arising from automated processing, with limited exceptions and safeguards in place. This framework is widely recognised as emphasising the importance of meaningful human involvement in high-impact decisions, a concept that is particularly pertinent in the justice sector.

The focus of institutional discussions is on the utilisation of AI as a support tool (e.g., anonymisation of decisions for publication, or other limited workflow applications), rather than on its direct replacement of adjudication processes. In public remarks, CSM leadership has characterised AI as a form of decision support that should not replace the central role

of the judge. This suggests an approach towards "assistive" rather than "fully automated" decision-making.

There is no announced intention to introduce fully automated processes; on the contrary, recent CSM initiatives, Supreme Court projects and empirical studies emphasise human control and reject AI substitution, viewing it as incompatible with fair trial rights and judicial autonomy.

Future development will remain focused on decision-support tools under strict oversight. That said, the future is uncertain specially in this area.

Romania/Roumanie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

At present, Romania does not have a dedicated legal framework governing the use of artificial intelligence within the judicial system, complementary to Regulation (EU) 2024/1689, which is directly applicable at national level. Nevertheless, pursuant to Government Decision No. 832/2024, published in the Official Gazette No. 730 bis of 25 July 2024, the National Strategy on Artificial Intelligence for the period 2024–2027 was adopted. One of the Strategy's overarching objectives is the establishment of a comprehensive governance and regulatory framework for artificial intelligence.

A functional and normative understanding of the use of artificial intelligence within the judicial system has been established at the level of the Superior Council of Magistracy, through the work of Commission no. 3 – Judges – Digitalisation.

By the decision adopted on 6 November 2025, it was agreed that the use of artificial intelligence components must not interfere with the direct exercise of the judicial function and must not provide elements or suggestions capable of affecting or influencing the judge's legal reasoning. In this sense, AI-based tools may be used exclusively to support auxiliary activities related to the administration of justice, as well as administrative activities, and not for deliberation, decision-making, or the formulation of judicial solutions.

Furthermore, with the exception of IT solutions developed within the judicial system, which rely on internally hosted models and whose purpose is defined at the level of the Council, other IT solutions - including publicly available AI tools (such as ChatGPT, Perplexity, Gemini, etc.) - may be used solely for the processing of data that do not form part of pending court files and that do not contain confidential information.

Accordingly, while no formal statutory definition of artificial intelligence applicable to the judiciary currently exists, a clear functional framework has been established, emphasizing judicial independence, the non-delegable nature of legal reasoning, and the strictly auxiliary role of AI in judicial activity.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Yes. At present, artificial intelligence-based tools are used within the Romanian judiciary by both judges and judicial support staff, including judicial clerks, judicial assistants, assistant magistrates and judicial assistants. Their use is strictly limited to auxiliary and technical activities that support, but do not interfere with, the exercise of the judicial function.

Currently, three main AI-enabled IT solutions are in operational use within the judicial system:

- 1. Summarisation of procedural submissions**

One system is used to automatically summarise applications, motions and other written submissions addressed to the court. The output is intended to assist in drafting the introductory section of judicial decisions, where the parties' requests and procedural history are presented. The system does not generate legal analysis, reasoning or proposed solutions.

- 2. Anonymisation of judicial decisions**

A second system enables the automated anonymisation of court decisions. It is used both for the publication of judicial practice and, on a case-by-case basis, for providing anonymised

jurisprudence in specific contexts, such as proceedings before the European Court of Human Rights (ECtHR). This tool supports compliance with data protection and confidentiality requirements.

3. Speech-to-text transcription

A third system performs speech-to-text conversion and is used to assist in drafting minutes of hearings and in recording witness statements. Its role is purely technical, facilitating the accurate transcription of oral proceedings.

All these systems are designed and used exclusively for supportive, administrative or technical purposes. They do not provide legal assessments, recommendations, or elements capable of influencing judicial reasoning or decision-making, in line with the principles established at the level of the Superior Council of Magistracy.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Yes. Judicial use of artificial intelligence is subject to **institutional guidance**, although it is not regulated through primary legislation.

As established by the Consiliul Superior al Magistraturii, through Commission no. 3 – Judges – Digitalisation, presented extensively at pct. 1, on 6 November 2025, the use of AI must not interfere with the direct exercise of the judicial function and must not influence judicial reasoning or decision-making.

Accordingly, AI may be used only for auxiliary, technical or administrative purposes. The use of AI in deliberation, assessment of evidence or formulation of judicial solutions is excluded. Externally developed or publicly available AI tools may be used solely for non-confidential data that are not part of pending court files.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No. At present, there is no specific regulation or official guidance governing the use of artificial intelligence by litigants, lawyers, or other participants in legal proceedings (such as expert witnesses).

Their conduct remains subject to the general rules of procedural law and professional obligations, including principles relating to good faith, legality of evidence, procedural fairness, confidentiality, and the responsibility for submissions made to the court. Any use of AI tools by such participants is therefore assessed indirectly, through compliance with these general procedural and ethical rules, rather than through AI-specific regulation.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Yes. The Superior Council of Magistracy has oversight responsibilities in relation to the use of artificial intelligence within the judiciary.

Under its constitutional and legal mandate, the Council is responsible for the organisation and functioning of the courts, acts as the guarantor of judicial independence, and also exercises the role of data protection supervisory authority for courts in relation to the processing of personal data, thereby exercising oversight in relation to judicial activity. In this context, although there is

no express legislation specifically regulating AI, the Council has an institutional role in assessing the impact of AI-based solutions on the judicial system and in establishing principles and limits for their use.

This governance role of the Council is fully consistent with relevant international instruments. In particular, Opinion No. 24/2021 and Opinion No. 26/2023 of the Consultative Council of European Judges emphasise that digital technologies and artificial intelligence must respect judicial independence and remain under meaningful human control.

The same approach is reflected in the 2024 Rome Declaration of the European Network of Councils for the Judiciary, which underlines that, subject to their mandate, Councils for the Judiciary should play an active and leading role in evaluating AI solutions proposed for use within the judiciary and should set standards for the use of digital technologies, including AI technologies.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No. To date, neither the Supreme Court nor the Constitutional Court has ruled on the appropriate use of artificial intelligence by the judiciary. There is currently no case law specifically addressing the use of AI in judicial activity or setting standards for its application in judicial decision-making. However, in a recent decision of the Constitutional Court (no.297/2025, paras. 65 and 66), it has been pointed out that AI has an instrumental effect upon the state's obligations concerning data protection. The Constitutional Court emphasized that AI technologies are capable of creating behavioural patterns by taking advantage of the publicity of the information comprised in the asset declarations. This aspect has been one of the main reasons that led to the unconstitutionality of the public character of the asset declarations.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The judiciary is consulted to a significant extent. All internal IT solutions, including AI-based tools, are subject to analysis by the Superior Council of Magistracy, which, as the representative body of judges, ensures consultation of the judiciary through its institutional structures before such tools are designed or implemented.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Where AI is used internally by the judiciary, responsibility for design and operation lies with public authorities. In practice, two AI-based solutions are administered by the Superior Council of Magistracy, and one solution is administered by the Ministry of Justice.

The judiciary is involved through the Council's governance and oversight role. All three solutions are calibrated to strict limits on AI use and serve only administrative or preparatory functions, ensuring that judicial independence and decision-making remain unaffected.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

It is developed using locally hosted models with internal resources. In addition, the development process has benefited from specialised research expertise provided by the Research Institute for Artificial Intelligence of the Romanian Academy, as well as by the Politehnica University of Bucharest. These models are trained exclusively on documents originating from the courts, within a controlled institutional environment.

For AI tools used for anonymisation and summarisation, the document annotation and validation processes were carried out by judges, ensuring that the training material and outputs reflect judicial practice and comply with the limits placed on the use of AI in judicial activity.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI is used by the judiciary for efficiency, workload reduction and administrative support. In particular, it supports the summarisation of procedural submissions, the anonymisation of judicial decisions, and speech-to-text transcription of hearings, all of which facilitate faster processing and improved handling of judicial documentation.

The necessity and proportionality of these uses are assessed institutionally, by limiting AI strictly to auxiliary and non-decisional functions, ensuring that it does not interfere with judicial reasoning or decision-making, and by subjecting such tools to analysis and oversight at the level of the Superior Council of Magistracy.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Yes. Judges may incur liability for the misuse of AI under the general disciplinary and legal framework, as there is no AI-specific liability regime.

If AI is used outside the limits established by the Superior Council of Magistracy, including through unauthorised third-party tools, liability is assessed depending on the nature and seriousness of the breach (for example, deficiencies in the reasoning of judgments or the disclosure of confidential data). In addition, the quality of judicial decisions is relevant both for professional evaluation and for promotion to higher courts.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

AI tools are limited to auxiliary, non-decisional functions, use locally hosted models, and process only data that are strictly necessary for their defined purpose.

Access to data is permission-based, and the use of AI is subject to oversight by the Superior Council of Magistracy, acting as the data protection supervisory authority for courts. These measures ensure compliance with principles such as lawfulness, purpose limitation, data minimisation and confidentiality.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Specific measures are in place to ensure the security and integrity of AI systems. These include deployment within secure institutional infrastructures, role-based access control, and logging, monitoring and auditing of all access and operations.

Such measures protect AI tools against unauthorised access, alteration or misuse and ensure that their operation remains consistent with their strictly defined auxiliary role, without interference with judicial decision-making.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

At present, there is no specific legal or regulatory framework establishing formal transparency requirements concerning the use of AI by the judiciary.

However, transparency is ensured through institutional and technical measures. The source code of AI-based solutions used within the judiciary is stored in internal Git repositories, accessible within the judicial system. This allows authorised judicial bodies to examine the architecture of the systems, including the way AI models are invoked, the prompts used, and the rules governing training and configuration.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Yes. Measures are implemented to guard against over-reliance on AI and to protect judicial autonomy.

These safeguards are ensured by design and by institutional rules, as AI tools used by the judiciary are strictly limited to auxiliary, administrative or preparatory functions and do not generate legal reasoning, recommendations or proposed decisions. Judicial reasoning and decision-making remain the exclusive responsibility of the judge.

In addition, at the level of the National Institute of Magistracy, IT-related training programmes include awareness components on the use of digital tools, explicitly addressing the risks associated with over-reliance on IT and AI solutions.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Yes. Judges receive specific training on the use of AI and digital tools through the National Institute of Magistracy and the National School of Clerks.

This training is provided both in initial training programmes and in continuous professional development, and covers the practical use of IT and AI tools and their permissible scope.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

No. Fully automated decision-making by AI in court proceedings is not permitted.

In accordance with the institutional framework established within the judiciary, AI tools may not be used for deliberation, legal reasoning, assessment of evidence or the formulation of judicial decisions. Judicial decision-making remains a non-delegable function exercised exclusively by judges.

There is currently no intention to introduce fully automated judicial decision-making. Any future consideration of AI within the judiciary is limited to auxiliary, administrative or preparatory functions and must remain compatible with judicial independence, human oversight and accountability.

San Marino/Saint-Marin

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
No. There are currently no provisions in legislation, rules of court, or official guidelines that provide a definition of artificial intelligence (AI) applicable to the judiciary.
2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?
Artificial intelligence is not officially used by the judiciary, nor has it been formally implemented within judicial structures or workflows. However, it cannot be excluded that individual judges or members of judicial staff may make occasional, informal use of AI tools on their own initiative. No institutional framework or guidance currently governs such use.
Nevertheless, the Sammarinese authorities are actively engaged in modernising the justice system. This process extends beyond the mere digitalisation of case files to include the development and enhancement of judicial databases, as well as a preliminary assessment of the potential use of AI tools, particularly for research-related activities. Although no specific regulatory framework governing the use of AI in the judiciary has yet been adopted, the judiciary is increasingly engaging in internal discussions on its possible applications, with a view to ensuring that any use remains legally and ethically acceptable. Such reflections are understood to require prior risk and impact assessments, followed by continuous monitoring.
In this context, a broadly shared view is emerging that AI could provide valuable support in managing judicial workloads, structuring and enhancing case-law databases, and identifying analogous disputes or recurring patterns of legal reasoning. At the same time, there is a clear consensus that AI should be excluded from functions involving the establishment of facts, the assessment of witness credibility, the critical evaluation of evidence, and, more generally, any activity requiring the direct exercise of judicial authority.
3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
No. Consistently with the answers above, there is currently no official recognition, regulation or guidance governing the use of AI by the judiciary, including in relation to judicial decision-making. AI has not been formally implemented within the judicial system, and no legislation, rules of court, official protocols or guidelines address its possible use in judicial activities.
4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No. There is currently no legislation, procedural regulation, or official guidance governing the use of AI by litigants, lawyers, expert witnesses, or other participants in legal proceedings. More generally, there is no official recognition or regulatory framework addressing the use of AI in judicial proceedings by non-judicial actors.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

No. There is currently no judicial or other body exercising oversight of the use of AI by the judiciary. This is consistent with the absence of any official recognition, implementation or regulation of AI within the judicial system.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No. To date, neither the Supreme Court nor the Constitutional Court has issued any rulings addressing the use of artificial intelligence by the judiciary.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The San Marino judiciary system, in cooperation with public authorities, is actively pursuing the modernisation of digital and IT systems, notably through the progressive digitalisation of judicial proceedings.

This process extends beyond the mere digitalisation of case files to include the development and enhancement of judicial databases, as well as a preliminary assessment of the potential use of AI tools, particularly for research-related activities. Although no specific regulatory framework governing the use of AI in the judiciary has yet been adopted, the judiciary is increasingly engaging in internal discussions on its possible applications, with a view to ensuring that any use remains legally and ethically acceptable. Such reflections are understood to require prior risk and impact assessments, followed by continuous monitoring.

In this context, a broadly shared view is emerging that AI could provide valuable support in managing judicial workloads, structuring and enhancing case-law databases, and identifying analogous disputes or recurring patterns of legal reasoning. At the same time, there is a clear consensus that AI should be excluded from functions involving the establishment of facts, the assessment of witness credibility, the critical evaluation of evidence, and, more generally, any activity requiring the direct exercise of judicial authority.

However, at present, no artificial intelligence tools have been designed, implemented or deployed within the judicial system.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Not applicable. As of today, artificial intelligence is neither formally regulated nor implemented within the judiciary. Consequently, no framework has been established regarding responsibility for its design or operation, nor are there any measures addressing such allocation of responsibility in relation to judicial independence.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Not applicable. As of today, artificial intelligence is neither formally regulated nor implemented within the judiciary. Consequently, no AI tools have been developed for judicial use, and no datasets or materials have been identified or employed for training purposes.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

Not applicable. As of today, there is no formally regulated or institutional use of artificial intelligence within the judiciary. Accordingly, no official purposes have been defined for its use in judicial activities, nor has any framework been established for assessing the necessity and proportionality of such use. However, it cannot be excluded that individual judges may make occasional use of AI tools on their own initiative; such use remains informal and is not subject to any regulatory framework. Although no specific regulatory framework governing the use of AI in the judiciary has yet been adopted, the judiciary is increasingly engaging in internal discussions on its possible applications, with a view to ensuring that any use remains legally and ethically acceptable. Such reflections are understood to require prior risk and impact assessments, followed by continuous monitoring.

In this context, a broadly shared view is emerging that AI could provide valuable support in managing judicial workloads, structuring and enhancing case-law databases, and identifying analogous disputes or recurring patterns of legal reasoning. At the same time, there is a clear consensus that AI should be excluded from functions involving the establishment of facts, the assessment of witness credibility, the critical evaluation of evidence, and, more generally, any activity requiring the direct exercise of judicial authority.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

In the absence of any legislative, secondary regulatory or official guidance framework governing the use of AI within the judiciary, there is currently no specific regulation addressing the related disciplinary liability for the use or misuse of such tools. Any possible assessment of a judge's conduct would therefore have to be made, if at all, under the general rules and principles governing judicial duties and responsibility.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Not applicable. As of today, artificial intelligence is neither formally provided for, officially regulated, nor implemented within the judiciary. Accordingly, no specific measures have been adopted to protect fundamental rights, including data protection rights, in relation to its use

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Not applicable. As of today, artificial intelligence is neither formally provided for, officially regulated, nor implemented within the judiciary. Accordingly, no specific measures have been adopted to ensure its security and integrity.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?
Not applicable. As of today, artificial intelligence is neither formally provided for, officially regulated, nor implemented within the judiciary. Accordingly, no specific transparency requirements have been established in relation to its use.
15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?
Not applicable. As of today, artificial intelligence is neither formally provided for, officially regulated, nor implemented within the judiciary. Accordingly, no specific measures have been established to guard against over-reliance by the judiciary on AI tools or to protect judicial autonomy in that respect. However, it cannot be excluded that individual judges may make occasional informal use of AI tools on their own initiative; such use falls outside any official regulatory framework.
16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.
Not applicable. As of today, artificial intelligence is neither formally provided for, officially regulated, nor implemented within the judiciary. Accordingly, no specific training on the use of AI is provided to judges. However, it cannot be excluded that individual judges may acquire knowledge or familiarity with AI tools on their own initiative, outside any institutional framework.
17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?
Not applicable. As of today, artificial intelligence is neither formally provided for, officially regulated, nor implemented within the judiciary. Accordingly, fully automated decision-making by AI in court proceedings is not provided for within the current judicial system, nor is it integrated into judicial processes on any legal or institutional basis.
Although no specific regulatory framework governing the use of AI in the judiciary has yet been adopted, the judiciary is increasingly engaging in internal discussions on its possible applications, with a view to ensuring that any use remains legally and ethically acceptable. Such reflections are understood to require prior risk and impact assessments, followed by continuous monitoring.
In this context, a broadly shared view is emerging that AI could provide valuable support in managing judicial workloads, structuring and enhancing case-law databases, and identifying analogous disputes or recurring patterns of legal reasoning. At the same time, there is a clear consensus that AI should be excluded from functions involving the establishment of facts, the assessment of witness credibility, the critical evaluation of evidence, and, more generally, any activity requiring the direct exercise of judicial authority.

Serbia/Serbie

1. No
2. No
3. It is not used for judicial decisions
4. Not used
5. No oversight since it is nit used
6. No
7. There were no these cases
8. /
9. /
10. Not used
11. AI is not used in proceedings
12. /
13. /
14. /
15. /
16. Judges do not use AI in the judicial system. There is no training
17. No

Slovak Republic/République slovaque

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
Apart from EU law (whether directly applicable or implemented), there are currently no national legal regulations, judicial rules, or guidelines in the Slovak Republic that would generally regulate this area. The Supreme Administrative Court of the Slovak Republic has a guideline on the safe use of AI tools, and the Supreme Court of the Slovak Republic is also preparing a similar guideline.
2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?
Given the absence of general rules, judges and court clerks can use AI in specific cases, and according to my information, they do so. Currently, the only legal restriction is that they must not violate personal data protection and respect the obligation of confidentiality when using AI.
3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
See answer to question 1.
4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?
The Slovak Bar Association adopted Rules for the Use of AI Tools in Legal Practice, effective May 1, 2025. These are internal regulations of the Bar Association.
5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?
No. A law on artificial intelligence and European data regulation is being prepared, which should establish the Office of Digital Integrity as a general state administration body in the area of artificial intelligence and data regulation.
6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?
See answer to question 1.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?
In general, courts may participate in the comment procedure as part of the regular legislative process. Currently, there is no draft in the legislative process that would regulate the use of AI in the judiciary. The above-mentioned proposal for a law on artificial intelligence and European data regulation regulates this area in general. Internal rules for district and regional courts, administrative courts, and the Specialized Criminal Court may be issued by the Ministry of Justice. The Supreme Court and the Supreme Administrative Court (as well as the Constitutional Court) may regulate this area autonomously.
8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?
Given the absence of general rules for the use of AI in the judiciary, e.g., in the form of a law, the person who used AI is responsible for its use and the result of its use in a specific case. From a legal perspective, the only restrictions so far are the protection of personal data and the obligation of confidentiality.
9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?
According to my information, if is used, only publicly available AI tools on an individual basis are currently used.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?
Currently, there are no general rules defining the purpose for which AI can be used in the judiciary.
11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?
In case of excessive use of AI (e.g., using results without verification), under certain circumstances, they could be subject to disciplinary liability for breach of their duty to perform their duties conscientiously and properly.
12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?
See answer 8
13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Only the Supreme Administrative Court has adopted internal rules on the safe use of AI, and the Supreme Court is currently preparing them.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Currently, none are specified.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Currently, none are specified. In general see answer 11

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

The general use of AI tools has been incorporated into the Judicial Academy's training program.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

This issue has not yet been specifically regulated, and procedural rules do not recognize fully-automated decision making.

Slovenia/Slovénie

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

No.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

There is no official introduction of AI into the work of the judiciary, i.e. information systems of the judiciary do neither require nor incorporate AI. The use of the AI in the judiciary is therefore based on individual decisions of judges and other staff, so there are no general overview or data in this regard (frequency of use etc.).

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Judicial decision-making, including formulating the content of judgements is the primary obligation of a judge. This means that it would be not only frowned upon but also against their fundamental obligation to delegate their judicial function to the AI. In this sense the use of AI to decide a case and/or write judgements could potentially be sanctioned as a violation of judge's obligations under Judicial Service Act (Act on Judges), but no such cases exist in practice so far. The use of AI in judicial decision-making is also limited by the requirements of GDPR and national Act on Personal Data Protection.

There is no general regulation or legal guidance in regard of the use of AI in the judiciary. The president of the Supreme Court has in July 2025 circulated an informative note regarding responsible use of generally accessible AI in the work at courts, pointing out the main risks and obligations in the use of AI, but it was aimed at providing information not setting new specific rules.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

No.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

No. The oversight could in limited scope and specific cases be a question of general administrative powers of the president of the Supreme Court and/or of the Judicial Council, as well as bodies responsible for personal data protection.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

There are no specific legal rules but there seems to be a general agreement among administrative bodies that if the AI will be used in the judiciary, it will be of proprietary design and used independently by the judicial IT service. There are plans for it to be introduced for summarizing documents, analysis of jurisprudence and preparing drafts of some typical documents made by the courts, but it is still in development.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Not applicable.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

Project analysing the possibility of use of AI within the judiciary is limited to sources and material from the judicial documents to "train" it specifically for the needs of judicial work. It is still under development and the results will have to be evaluated, so the methods might change.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI is not officially used by the judiciary as a part of tools provided or incorporated in judicial proceedings. The use of general AI service providers as a tool used by judges and other persons in the judiciary is subject to some limitations (mentioned above), especially data protection and direct use for decision-making that must be done by judges, but it is not prohibited as such and not generally legally regulated.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

There is no jurisprudence in this regard so far, but as mentioned above, the excessive use or misuse of AI for judicial decision-making could potentially result in disciplinary sanctions against the judge, based on their violation of duties of a judge. Violation of rules for data protection could lead also to other forms of liability, including civil or criminal, as in other similar violations of these rules (not including AI).

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Only data that are public can be used in the AI, as clarified by the information note of the president of the Supreme court of July 2025 (above). This is however not specifically monitored in the use of AI by the judges or other employees of the courts, if they use the general AI tools available to them. So far, however, there have been no cases of violations of data protection established in this regard.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Not applicable.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

No legal requirements.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

No specific measures besides general rules on judicial duties.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Not applicable.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

It is not permitted so far. No concrete plans have been made yet to change this.

Spain/Espagne

I. Legislation, rules of court or other official guidelines

1.- Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

The General Council of the Judiciary (CGPJ) issued Instruction 2/2006 on the use of AI systems by judges. This Instruction incorporates an operational definition of AI, while explicitly referring to the European framework -Regulation (EU) 2024/1689.

The Instruction defines “AI systems” as: “Any machine-based systems which, in accordance with the AI Regulation, is designed to operate with different levels of autonomy and may exhibit adaptability after deployment, which, for explicit or implicit objectives, infers from the input it receives how to generate outputs, such as predictions, content, recommendations or decisions”.

It also defines “generative AI tools” as systems capable of automatically generating content (text, images, sound, code, or others) based on user instructions.

2.- Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Yes, the Judiciary and the Administration of Justice in Spain are already using -or preparing the use of AI system in various areas, but under strict limits and always under human supervision and specific regulations.

For example: automating administrative tasks or data processing. KENDOG system provides judges with the following tools: Classifies documents in accordance with a legal thesaurus; automatic enrichment of documents by means of the establishment of links to legislation and jurisprudence cited therein with direct access to these citations on its database; automatic generation of AI summaries of documents, and a conversational assistant that facilitates real-time interaction with the document or the documents. Currently, CGPJ is analysing a pilot project for a model of judicial decisions in specific matters of mass litigation.

AI use policies apply to the entire Administration of Justice, which includes personnel working in support roles. Judicial assistants and clerks can use AI systems to streamline administrative tasks.

3.- Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Yes, the judicial use of AI in Spain is regulated and subject to formal guidelines and rules, especially regarding how it may or may not affect judicial decision-making.

The CGPJ has issued Instruction 2/2026 on the use of AI systems in the exercise of judicial activity. This is the most specific directive regulating AI by judges.

It is like a soft-law instrument issued by CGPJ. Its purpose is to provide a clear, coherent and homogeneous framework for how AI systems may be used in judicial activity.

Instruction 2/2026 establishes key principles that govern judicial use of AI systems:

-Human-centred control: Any use of AI must remain under real, conscious and effective human control by the judge or judicial officer.

-Respect for judicial independence: AI may support judicial work but cannot replace the independent exercise of judicial reasoning. All judicial functions must be performed by the judge.

-Principles of Justice and Rights Protection: The Instruction incorporates fundamental principles, consistent with broader European standards: respect fundamental rights; non-discrimination; impartiality; quality and safety of AI outputs; transparency and accountability; low impact on judicial autonomy.

The Instruction says judges cannot use IA tools not provided by or vetted through official channels in exercising judicial functions.

4.- Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

Yes. There are some regulations and guidelines that govern or provide guidance on the use of AI by litigants, lawyers, expert witnesses, and other participants in judicial proceedings, although the framework is still evolving.

In Spain, the policy of the use IA in the Administration of Justice (adopted by the Comité Técnico Estatal de la Administración de Justicia Electronica, CTEAJE) sets minimum standards for responsible AI use in the justice sector. This policy applies to any system or service that uses judicial data and may influence proceedings, which can include AI used by professionals submitting documents or evidence.

The Ilustre Colegio de Abogados (lawyers) de Madrid has published a practical guide or responsible AI use in legal practice. It is not a law, but a professional and ethical guideline aimed at helping lawyers use AI responsibly, ethically, and in accordance with professional duties.

5.- Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Yes, there are specific bodies and mechanisms that supervise the use of AI by the judiciary:

-CGPJ is the constitutional body that governs the judiciary in Spain. It has a central role in supervising how AI systems are used in judicial activities, especially when those systems could affect judicial independence and jurisdictional functions.

--The national policy on the use of AI in the Administration of Justice (Comité Técnico Estatal de la Administración de Justicia Electrónica, CTEAJE) also assigns different supervisory roles for systems that do not affect jurisdictional independence-

-Spanish AI Supervisory Authority (Agencia Española de Supervisión de la AI, AESIA) is a governmental body created to oversee compliance with the EU AI Act and national AI rules across public and private sectors.

-Spanish Data Protection Agency (Agencia Española de Protección de Datos, AEPD), can also influence AI oversight to the extent that AI systems process personal data.

6.- Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

The Supreme Court of Spain has issued relevant pronouncements related to the proper use of AI. However, there is not yet a Supreme Court or Constitutional Court ruling that establishes specific doctrine on the use of AI by judges in judicial decision-making.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7.- To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

The CGPJ is consulted and actively participates, in decisions about designing or implementing AI tools for use in the judicial system.

The CGPJ is directly involved in decisions about AI tools that may affect judicial activities or independence. The CGPJ has an institutional role in overseeing or validating AI user in judicial settings.

Beyond formal rules and policies, judicial stakeholders have been included in working groups and expert fora concerning AI.

8.- Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

The technical design, procurement, development, and maintenance of AI systems generally fall under the responsibility of the Government and the Autonomous Communities.

CGPJ does not technically program or engineer AI systems. But CGPJ establishes rules of use and institutional safeguards.

Jurisdictional use falls within the autonomous sphere of the judiciary. The CGPJ retains internal regulatory authority.

In the case of tools promoted within the Judiciary itself -for example, through the Judicial Documentation Centre (CENDOJ)- technical development may be carried out by in-house IT teams or external contracted services, but always under judicial institutional supervision.

9.- Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

The CGPJ participation is typically functional (defining needs), supervisory (validating outputs), and regulatory. It does not usually involve algorithmic programming, model engineering, etc.

The material depends on the specific systems, but generally includes public case law and anonymised procedural documentation.

III. Use of artificial intelligence (AI)

10.- For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI tools are used for: to

- **Improving efficiency and workload management -for example, internal allocation of cases-.**
- **Enhancing coherence and consistency -for example, identification of jurisprudential trends-.**
- **Reducing administrative burden -E.g., detecting formal errors-.**
- **Improving the access to justice and the transparency -for example, more accessible legal information systems-.**
- **Statistical analysis and planning -form example, assessing average resolution times.**

The CGPJ must control the prohibitions of replacing human judgment, the absence of binding algorithmic suggestions, the preservation of the judge's personal responsibility.

11.- Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Yes, under Spanish law, judges may incur liability for the use or misuse of AI tools in judicial proceedings.

- a) **Disciplinary liability of judges: Applies when breaches occur in the exercise of judicial functions. It is a personal liability of the judge.**
- b) **Civil liability. The State bears liability due to malfunctioning of de Administration of Justice. The claim would be brought against the State, not directly against the judge. The state may exercise a right or recourse against the judge only in cases of wilful misconduct or gross negligence.**
- c) **Criminal liability, when the use or IA is linked to conduct classified as a criminal offence. It is a personal liability of the judge.**

12.- Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

The processing of judicial data is subject to Spanish Organic Law on Data Protection. Common safeguards include: purpose limitation, data minimisation, anonymization, restricted access to procedural data, effective human oversight, etc.

Judicial decisions may never be fully automated. The judge retains the responsibility and the final control.

It may be necessary to establish technical audits, ethical audits and fundamental rights assessments.

13.-Where AI is used, what measures, if any, are used to ensure its security and integrity?

- a) Technical measures: encryption, access control, monitoring, security offices, etc.**
- b) Organizational measures: usage protocols, security officers, etc.**

14.- Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Regulation EU 2024/1689 (the AI Act) establishes transparency obligations for high-risk AI systems, including those used in the administration of justice. This requires:

Detailed technical documentation, traceability, and effective human oversight.

Organic Law on the judiciary reinforces principles of independence, impartiality, and reasoned judicial decisions. It mandates that any technological support must strictly respect these principles.

15.- Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

All AI systems must operate under direct supervision of the judge or authorized judicial staff. The judge retains final responsibility for every decision made. AI is exclusively utilized for administrative and documentary support, not for issuing judgments or evaluating evidence.

The CGPJ has set some guidelines and protocols for IA use. Periodic evaluations assess proportionality and technological dependence, ensuring that judicial autonomy is not eroded.

16.- Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Yes. When IA is used, judges receive specific training on its use. This training is designed to ensure that judges can integrate AI tools effectively while maintaining their professional judgment.

In Spain, training is primarily offered by the CGPJ.

The training usually covers: technical aspects of the AI; legal and ethical considerations, and practical application in judicial work.

17.- Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

In the Spanish legal system, fully-automated decision making using AI in judicial proceedings is not permitted.

AI may only be used as a support tool.

Currently, there are no official plans to allow fully automated judicial decisions in Spain.

Sweden/Suède

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
- *No, not in legislation or guidelines other than the coming AI-act.*
2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?
- *Yes, It is used by many different categories of employees for masking sensitive information in documents, translation of text and in a educational platform using AI and VR (at the time of writing focused on law clerks).*
3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
- *No regulation or subject to guidance right now.*
4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?
- *No such regulation or guidance.*
5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?
- *No.*
6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?
- *No.*

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?
- *They are part of the developing process as to which problems AI can be used to solve and also for generating ideas to explore uses of AI.*
8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?
- *The Swedish National Courts administration is responsible for the design and operation of AI-solutions. The judiciary is part of the design process and the development of all IT-solutions as well as AI solutions. The courts and the individual judges are responsible for the use of AI.*
9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

- See answer to question nr 2 above. There is no training on production data as of right now.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?
- *Mostly for workload reduction and efficiency (timesaving). We try to apply AI where we cant really speed things up or raise quality with humans in order for us to free up time from humans so that they can concentrate on more qualified tasks.*
11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?
- *Not specifically for the use of AI.*
12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?
- *AI is used to protect and strengthen fundamental rights.*
13. Where AI is used, what measures, if any, are used to ensure its security and integrity?
- *The same standards and policies that applies to any IT-solutions.*
14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?
- *Yes, transparency regarding models and training data can be shared if asked for. There's always a human in the loop whenever AI is used and AI is not used for any decision making or generating material and as such there is little need for it but in the future there will most likely be policies and guidelines.*
15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?
- *Yes, there is always human oversight and a human in the loop in processes where AI is used. Any final decision or action is always left to a human.*
16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.
- *Yes, but specific to the actual solution. But there are also general AI educations available to all employees.*
17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?
- *Unclear whether current legislation would permit it but also not something we are working on and most likely not a scenario. The whole point is to use AI in a way that frees up time and help the Judges be better decision makers, not the other way around.*

Türkiye

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

A separate and holistic law containing the definition of artificial intelligence that is specific to judiciary has not come into force in Turkish Law yet. Therefore, there is not any legislation that contains a direct and special definition in relation to artificial intelligence.

Artificial intelligence was defined in 'National Artificial Intelligence Strategy 2021-2025' prepared by Digital Transformation Office of the Presidency of Türkiye in 2021, however a definition that is specific to judiciary has not been made.

Artificial intelligence has been defined as follows in the Strategy document and a definition that is specific to judiciary has not been made in this document either;

"In the most general terms, AI is defined as the ability of a computer or a computer-controlled robot to perform various activities in a way that is similar to intelligent beings. The term AI is used for systems that are equipped with cognitive abilities that are specific to human beings such as reasoning, generalization and learning from past experiences in dynamic and uncertain environments."

Although the National Judiciary Informatics System (UYAP) used within the Ministry of Justice ensures file management and automation, it doesn't have traditional artificial intelligence features; rather, it performs database management and work flow automation functions.

Within this framework, in relation to AI, while infrastructure works such as decision support, case-law and decision search, file analysis and summarization are carried out under UYAP within the Turkish judicial system, there is not any decision/guideline that determines the limits and criteria of AI use in judicial activities. In this context, a guideline ensuring data privacy, controlled by judge/prosecutor and focusing on human rights and rule of law should be drawn up.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

AI techniques such as machine learning and predictive analysis are not used in decision making processes in the Turkish judicial system.

On the other hand, artificial intelligence is actively used by the Ministry of Justice to support the members of judiciary and judiciary personnel.

Primary applications are as follows:

Artificial Intelligence Supported Document Distribution System (YEDES) ensures that electronic documents received from outside the institution are accurately and promptly directed to the relevant departments.

"Chief Public Prosecutor's Office Organization Prediction Project" prevents complexity in the entry of organizational data concerning the Chief Public Prosecutor's Offices; "Criminal Miscellaneous Document Type Identification" ensures the correct determination of document types in criminal courts. "OCR Service" is used for converting the scanned documents into text; "Image Classification Service" is used for classification of enforcement documents according to visual template; "Decision Type Prediction Project" is used for identification of type of decision documents received by courts of appeal and "Notification Information Extraction Service" is used for collective and automatic processing of notifications.

On the other hand, there is not any regulation or legislation issued by the Council of Judges and Prosecutors in relation to use of artificial intelligence by the members of judiciary. In addition to this, there is an AI-supported data analysis system developed by the Bureau of Judicial Efficiency of the Council of Judges and Prosecutors to be used in performance monitoring and evaluation of judges and prosecutors.

Target No. 1.14 of the Judicial Reform Strategy Document covering the years 2025–2029 states that “The scientific, technical, physical and administrative capacity of the Council of Forensic Medicine will be strengthened. Activity No. 1.14.c under this target states that “The technological infrastructure of the institution will be improved through the use of artificial intelligence applications.” Activity No. 2.2.f under Target No. 2.2, entitled “The institutional structure of the Justice Academy of Türkiye will be strengthened,” states that “digital training content based on artificial intelligence will be developed.” Furthermore, Activity No. 3.5.e under the target entitled “The criminal record system will be restructured within the scope of the right not to be stigmatized” states that “artificial intelligence algorithms will be used in the evaluation of criminal record deletion and correction applications.” All of these are for strengthening judicial and justice services.

On the other hand, in the “Court of Cassation Case-Law Center Project,” developed by the Presidency of the Court of Cassation to make precedent decisions accessible to citizens, artificial intelligence is used by Rapporteur Judges as a supportive tool at the stage of publication of decisions for the following functions:

- Extraction of key words, legal terms and subjects from the context of decision,
- Summarization of decision,
- Determining the importance level of decision,
- Performing semantic searches related to decisions.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

Although there is not a binding regulation in relation to use of artificial intelligence in judicial decision-making processes, guidelines are being prepared by “Artificial Intelligence Law and Ethics Working Group” established under the coordination of the Ministry of Justice within the framework of the National Artificial Intelligence Strategy. These guidelines include human inspection and monitoring, technical robustness and safety, transparency and interpretability, diversity and non-discrimination, privacy and data governance, accountability and protection of the right to a fair trial.

Moreover, applications continue within the framework of “National Artificial Intelligence Strategy and Action Plan” in relation to use of AI in judiciary issued by the Digital Transformation Office of the Presidency of Türkiye. Guidelines for the use of AI in the judiciary are being developed in coordination with various bodies of judiciary and work is being carried out on artificial intelligence ethics.

Furthermore, in 2025-2029 Judiciary Reform Strategy Document, it is envisaged to establish an institutional structure that will determine ethical and legal framework of artificial intelligence applications.

As a matter of fact in Target No. 1.9 of the 2025–2029 Judicial Reform Strategy Document, it is states that “The judicial informatics system will be further developed in line with current technologies.” Within this objective, the following activities are envisaged: The **development of artificial intelligence-based recommendation systems** to support judicial activities (1.9.a), the integration of artificial intelligence technology into the information system to facilitate citizens’

access to justice and accelerate judicial processes (1.9.b), the use of artificial intelligence for the instant analysis of documents, the rapid completion of missing information and documents, the review of expert reports, the automatic tracking of correspondence, and inter-institutional information sharing (1.9.c), and establishing an institutional structure to develop artificial intelligence applications and determine their ethical and legal framework (1.9.d).

Judicial Reform Strategy outlines a general framework for aforementioned targets and activities and use of artificial intelligence in the judiciary and emphasizes the supportive nature of artificial intelligence in judicial activities.

Although there is not a direct regulation or guideline in relation to use of artificial intelligence in judicial decision making in Turkish Law and there is not a clear regulation in legislation on this issue, Article 138 of the Constitution of the Republic of Türkiye provides: “Judges shall be independent in the discharge of their duties; they shall give judgment in accordance with the Constitution, laws and the law, in accordance with their conscientious conviction.” This constitutional principle establishes the requirement that the decision must be made by the judge personally. The same point is also mentioned in Article 4 of Law No. 2802 on the Judges and Prosecutors. These provisions mean that the decision must be finally made by the judge and the artificial intelligence may only be used as an auxiliary tool.

In this context artificial intelligence is not used in **decision-making processes** by either first instance or appellate court.

In order to fulfil the requirement for a systematic examination of the legal framework specific to the use of artificial intelligence systems in Turkish judicial practice, the Centre for Legal Research of the Justice Academy of Türkiye is conducting a reporting study entitled ‘The Legal Framework for the Use of Artificial Intelligence in Judicial Practice’. The objective is to assess and analyze the current situation within the framework of positive legal rules in relation to the use of artificial intelligence in the judiciary and to propose future norms. With the objective of systematically examining the legal framework specific to the use of artificial intelligence systems in Turkish judicial practice, the research project entitled ‘The Legal Framework for the Use of Artificial Intelligence in Judicial Practice’ has been launched, and an academic council has been established with the participation of faculty members that specialize in artificial intelligence. An academic council meeting regarding the ‘Research Project on the Legal Framework for the Use of Artificial Intelligence in Judicial Practice’ was held on 10/02/2026. A situation analysis will be held on the adequacy of the legal infrastructure regarding the integration of artificial intelligence systems into judicial practice. Based on the results obtained, minimum legal standards will be determined and shared with the competent authorities and institutions.

Furthermore, although digital tools are used in trainings for judges and prosecutors organized by the Justice Academy of Türkiye, a special guideline or training programme in relation to use of artificial intelligence has not been established yet.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

In Turkish Law, there is not a binding law, regulation or national judicial guideline directly regulating the use of artificial intelligence by parties to a case, lawyers, court-appointed experts or other parties to the judicial process. However, guidelines in the form of soft law promoting the ethical, safe and human-controlled use of AI are being developed, particularly through professional guidelines prepared by bar associations and work carried out within the Turkish Bar Association. In the current situation, the use of artificial intelligence is indirectly assessed within the framework of professional responsibility, confidentiality, data protection and accountability principles.

In this context, within the framework of Turkish Attorney Law No. 1136 and Turkish Bar Association Code of Practice, certain general principles are being applied. Therefore, it should be noted that, although there is no specific regulation, a limited form of responsibility arises from general professional principles and the provisions of Attorneyship Law No. 1136 regarding the use of AI by lawyers. In this sense, the principle of honesty and professional diligence include the obligation of lawyers to verify the accuracy of every tool they make use of and to assume the responsibility of them. Indeed, as mentioned earlier, some bar associations organize seminars to inform lawyers and make efforts to raise awareness in relation to use of AI in legal searches. However, there is not any binding guidelines or regulation.

On the other hand, it should be noted that Turkish Bar Association has started working on preparation of Recommendation Guide on the Use of AI by Lawyer and that as the first event, the “AI and Legal Practice Workshop” was held on 14–15 February 2026.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

The design, development and operation of artificial intelligence used within the scope of UYAP are carried out by the Ministry of Justice Directorate General for Information Technologies.

As there are no regulations in our legislation regarding the use of artificial intelligence in judicial decision-making processes, artificial intelligence is not used in judicial activities. Consequently, no judicial body or institution has the authority to monitor or control the use of artificial intelligence in judicial decision-making processes. However, Article 159/9 of Turkish Constitution and other legislation, the process of monitoring whether judges and prosecutors perform their duties in accordance with the law and other legislation (administrative circulars for judges) is carried out by CJP (Council of Judges and Prosecutors) Inspectors serving within the CJP Inspection Board, upon the proposal of the First Chamber of CJP and with the approval of the President of CJP.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

There is not any direct decision in relation to artificial intelligence by the Constitutional Court. However, in the decision of individual application no. 2015/1570, there is an evaluation regarding artificial intelligence. Relevant decision can be accessed on the Constitutional Court’s Decisions Information Database via <https://kararlarbilgibankasi.anayasa.gov.tr/>.

There is not any decision made by the Court of Cassation and the Council of State in relation to artificial intelligence and artificial intelligence applications are not used by high courts in decision-making processes.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

In the design and development processes of artificial intelligence systems, direct collaboration with members of judiciary is undertaken.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Within the Turkish legal system, the design, development and operational management of digital systems and artificial intelligence-based technologies used in the judiciary are particularly carried out by technical administrative units within the executive branch. In this context, projects are developed using the Ministry of Justice's own resources. The Directorate General for Information Technologies of the Ministry of Justice acts as the primary responsible unit.

In order to protect the independence of judiciary, artificial intelligence systems are never positioned as automatic decision-makers, they are only presented as support tools for judges, prosecutors and judicial personnel.

On the other hand, AI applications based in the Court of Cassation are developed by the Directorate General for Information Technologies of Court of Cassation. Designed applications are presented as auxiliary functions to the Rapporteur Judges of Court of Cassation and outputs of AI are subject to the approval of judges.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

AI-based tools used in the Turkish judicial system are largely developed based on data sets obtained from court decisions, case files, and various legal documents accumulated over the years within UYAP. These systems are structured to take into account the legislation in force and current high court case-law and aim to provide users with correct and reliable results in legal research and decision support processes.

AI applications conducted within the Court of Cassation are developed by the Directorate General for Information Technologies. In the training of AI models, decisions issued by General Assemblies and chamber of the Presidency of Court of Cassation are among the primary data sources and in this way strengthening of case-law based analysis capacity is aimed.

Furthermore, data-based technological tools are also utilized in the work of the Bureau of Judicial Efficiency operating under the General Secretariat of the Council of Judges and Prosecutors. In this context, judicial precedents are primarily analyzed in the training of artificial intelligence tools developed by the Ministry of Justice; in addition, micro-scale algorithmic software is used by some judicial units to support decision-writing processes. It is known that development work is continuing to integrate some of these software programmes with the UYAP system.

Moreover, in performance evaluation works conducted by the Bureau of Judicial Efficiency of CJP, it is aimed to analyze of workload tendencies using data obtained through UYAP, to predict future file volumes, to analyze the efficiency of judicial units and to establish early warning and recommendation systems in relation to necessary administrative measures. These systems

do not interfere with judicial decision-making processes, they are solely used as auxiliary tools for managerial planning and policy development.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI projects developed by the Directorate General for Information Technologies of Ministry of Justice are being developed and integrated into UYAP with the objective of detecting errors in user data entries, reducing staff workload through process automation, and performing consistency checks on existing data in the system.

AI studies conducted at the Presidency of the Court of Cassation are designed to extract keywords, topics and concepts in a decision, determine the importance level of decisions, ensure consistency in terms of the decisions made, and guarantee equal and easy access to decisions by citizens.

The artificial intelligence-supported programme used by the Bureau of Judicial Efficiency of CJP to conduct periodic performance evaluations and assess the efficiency of judicial units in line with international standards also ensures that the workload is balanced and that necessary measures are taken before problems arise. In this context, it becomes possible to make the necessary reinforcements to balance the workload and bring it down to reasonable levels; thus, prolonged trial processes are shortened and strengthening the right to be tried within a reasonable time is supported. In this respect, the use of such systems is important.

Artificial intelligence-supported applications are primarily developed with the aims of accelerating administrative and technical processes, reducing data entry errors and increasing consistency, balancing the workload and increasing efficiency, facilitating access to case-law and decisions, and supporting statistics and performance analysis. These uses aim to increase the effectiveness of judicial services and strengthen access to justice.

The use of artificial intelligence tools is kept under human control and is carried out in a limited manner that does not interfere with judicial decision-making authority.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

As AI systems are used as auxiliary tools not as decision-maker, final responsibility arising from judicial decisions lies with the judge and the outputs of AI are not binding. In this framework, the judge continues to freely use his/her discretionary power.

When assessed from the perspective of the Discipline Bureau of the CJP, the increasing prevalence of digitalisation and artificial intelligence-based applications in judicial activities has brought to the fore a new legal area that must be carefully considered in terms of the constitutional position of the judiciary, the discretionary power of judges, and the right to a fair trial. Artificial

intelligence refers to software systems that are capable of processing and classifying large-scale data and generating text. The aim is not to exclude these technologies from judicial activity entirely, but to contribute to improving the judicial process by establishing principles for their lawful, safe, controllable, and measured use. Indeed, these systems are currently used in auxiliary areas such as legislation and cas-law searches, technical summarisation of case files, and comparative legal analysis.

However, it is fundamental that artificial intelligence can only be used as an auxiliary tool in judicial activities and cannot be placed in a decision-making position. Because, according to Article 138 of the Constitution, judicial authority must be exercised by independent and impartial judges based on their conscience. In this context, the evaluation of evidence, legal characterization and the establishment of a ruling are non-transferable and must be based on the judge's personal mental and human activity. The use of artificial intelligence systems in the evaluation of evidence, the determination of the legal outcome based on algorithms, or the transfer of the generated content to a reasoned decision without passing through any control filter may result in the actual transfer of the judge's discretionary power. As such practices may be contrary to the essence of judicial authority, they may lead to disciplinary liability according to Law No. 2802 on Judges and Prosecutors for breach of the requirements of the office.

In terms of legal liability, although judges cannot be directly sued for damages according to 129/5 of the Constitution, the state is liable for damages arising from judicial activities. However, in cases where there is clear negligence due to the incorrect or careless use of artificial intelligence, the state has the opportunity to seek recourse from the relevant judge. Furthermore, the transfer of personal data contained in case files to artificial intelligence systems, particularly when these systems operate on foreign servers, may pose serious violation risks in terms of personal data protection legislation. Therefore, legal proceedings must be based on the judge's personal and conscientious judgement. While artificial intelligence is a tool that can increase the efficiency and speed of proceedings, it cannot take the place of judge's conscience, discretion, and judgement.

From the perspective of Judges and Prosecutors Complaints Bureau of CJP, there isn't any specific complaints procedure concerning the use of artificial intelligence by judges in court proceedings or the misuse of artificial intelligence. However, investigating whether judges and prosecutors committed crimes in the course of their duties or during their duties, whether their conduct and actions comply with the requirements of their status and duties, and conducting investigations and inquiries into them when necessary fall within the authority of the Council, and actions that can be assessed within this framework may be subject to complaint and disciplinary proceedings.

Furthermore, from the perspective of judicial ethics, although the Turkish Judicial Ethics Declaration does not contain a separate provision specifically dedicated to the use of artificial intelligence, the principles of independence, impartiality, competence and diligence, confidentiality, and trust in the judiciary set out in the declaration are regulated in a manner that includes the entire decision-making process of members of the judiciary. Turkish Judicial Ethics Declaration Guide also clearly emphasizes that technological tools can contribute to judicial activities, but that judges and prosecutors are the subjects of the legal process and that the authority to make judicial assessments is non-transferable.

Within this framework, it is established that if artificial intelligence systems are used in decision-making processes;

- Leaving the decision to the output of artificial intelligence,
- Relying on artificial intelligence output without making adequate legal evaluation,
- Use of artificial intelligence undermining the perception of impartiality or
- Violation of confidential or personal data privacy via artificial intelligence systems may lead to violation of basic ethical principle regulated in the declaration.

In accordance with the Turkish Judicial Ethics Declaration Guide, the conduct that is alleged to constitute an ethical violation may be subject to review by the Council of Judges and Prosecutors, and the decisions made by the Council are considered in professional evaluations such as appointment and promotion. Therefore, if the use of artificial intelligence is contrary to ethical principles, the situation in question may have professional consequences within the framework of general ethical responsibility.

On the other hand, since artificial intelligence systems can solely be used as auxiliary tools in judicial processes, the final decision and responsibility lie entirely with the judge, and the outputs of artificial intelligence are not binding. The judge continues to independently exercise his or her discretion. The incorrect or careless use of artificial intelligence can be assessed within the framework of general disciplinary and ethical responsibility; in particular, situations such as the actual transfer of decision-making authority or the failure to protect confidential or personal data may give rise to professional liability.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

In Judicial Reform Strategy Document covering years 2025–2029, Target 1.9. states that “judicial informatics system will be further developed in line with current technologies”. Within the scope of this objective, activities such as developing artificial intelligence-based recommendation systems to support judicial activities, facilitating citizens' access to justice and accelerating judicial processes by integrating artificial intelligence technology into the information system, ensuring the use of artificial intelligence in the instant analysis of documents, the rapid completion of missing information and documents, the control of expert reports, automatic tracking of correspondence, and inter-institutional information sharing, as well as activities aimed at establishing an institutional structure that will develop artificial intelligence applications and determine their ethical and legal framework have been included.

Within the framework of ‘Research Project on the Legal Framework for the Use of Artificial Intelligence in Judicial Practice’ organized by Justice Academy of Türkiye Legal Research Center, an academic council meeting was held on 10/02/2026. The reporting activity that will be carried out as a result of the mentioned meetings aim to address issues such as confidentiality of judicial data and protection of personal data, international legal regulations on the use of AI in the judiciary, and the human rights-based legal framework (constitutional limits and the case law of the Constitutional Court and the European Court of Human Rights, international documents at the Council of Europe and the United Nations); The objective is to analyze and identify the measures that should be taken to protect fundamental rights, including data protection rights.

Although a comprehensive regulatory framework in relation to use of artificial intelligence has not been establishes, protection of fundamental rights and data security are among priority issues. Within the framework of ongoing works, protection of personal data, right to fair trial,

transparency and accountability and human supervision and ethical principles form the basic framework and analysis and standard development work is continuing at institutional and academic levels in these areas.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

Technical robustness and security of systems are ensured by Directorate General for Information Technologies of the Ministry of Justice within the framework of Directorate's information security standards. Artificial intelligence projects are developed using domestic and national means and resources and external dependency is kept to minimum. In this context, risk analysis is carried out and the suitability of the systems in terms of human rights and legal safeguards are continuously monitored.

Artificial intelligence systems used in judicial processes are operated in a secure, transparent and controllable manner within the framework of the principles of the right to a fair trial, fundamental rights and freedoms, and the protection of personal data. These systems are addressed using a risk-based approach in line with the ISO/IEC 27001 standard; controls relating to access control, logging and monitoring, cryptographic protection, and change and incident management are applied.

Furthermore, in line with the provisions of Information and Communication Security Manual issued by former Digital Transformation Office of the Presidency of Türkiye, network segmentation is provided, identity and access management is centrally administered, supplier security controls are applied, secure software development principles are adhered to and integrity of log records is ensured. Artificial intelligence systems used in judiciary are considered as decision support tools and final decisions are made by humans. All technical and administrative measures are applied in a holistic manner.

From the perspective of the Presidency of Justice Academy of Türkiye, an academic council meeting was held on 10.02.2026 within the framework of 'Research Project on the Legal Framework for the Use of Artificial Intelligence in Judicial Practice' organized by the Centre for Legal Research of Turkish Judicial Academy of Türkiye.

Artificial intelligence-supported applications developed in judicial information systems are operated within the framework of information security and cyber-security standards, and technical and administrative measures are implemented, including access control, data security and logging, risk analysis and testing processes, and secure software development principles. The operation of systems under human supervision and the final decision being made by humans is adopted as a fundamental principle in terms of ensuring security and integrity.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

There is not any regulation or special legislation provision issued by CJP in relation to transparency conditions in use of artificial intelligence by judiciary. Because, as artificial

intelligence is not used by the Turkish judiciary in decision-making processes, transparency conditions have not been determined in relation to use of artificial intelligence yet.

From the perspective of Judicial Ethics, in Turkish Judicial Ethics Declaration and related Guide do not include specific rules on transparency regarding the use of artificial intelligence. However, the principles of fair trial, transparency, justification and trust in the judiciary set out in the declaration require judicial processes to be conducted in a comprehensible, controllable and trustworthy manner.

The Turkish Judicial Ethics Declaration Guide clearly states that judicial proceedings must be comprehensible to the parties involved, procedural actions must be conducted transparently, and decisions must be reasoned. In this context, if artificial intelligence systems are to be used effectively in judicial decision-making processes, such use must be understandable to the parties and the public, it must be made clear that human will is decisive in the reasoning behind the decision, and data security and privacy must be protected.

On the other hand, the Guide to Use of Social Media emphasizes that behavior in digital environments has a direct impact on trust in the judiciary and that judges and prosecutors must therefore be mindful of perceptions of trust and impartiality when using digital tools. This approach demonstrates the ethical importance of using digital tools in judicial activities in a trustworthy and transparent manner.

Consequently, although there is no separate and specific transparency regulation regarding the use of artificial intelligence in existing ethical documents, the use of artificial intelligence can be evaluated within the framework of the principles of independent decision-making, maintaining the appearance of impartiality, professional diligence, confidentiality, and trust in the judiciary, as outlined in the Turkish Judicial Ethics Declaration. In this context, the use of artificial intelligence in judicial processes does not eliminate the judge's responsibility for decision-making; it carries ethical responsibilities in terms of justifying the decision-making process, ensuring data security, and maintaining trust in the judiciary.

In this regard, although there is no specific transparency regulation dedicated to the use of artificial intelligence by the judiciary, it is essential that judicial processes are conducted in accordance with the principles of reasoned decision-making, transparency and accountability. When artificial intelligence tools are used, it is considered a fundamental ethical and institutional principle that the decision is clearly based on human will and that data security is protected.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

From the perspective of Directorate General for Information Technologies of the Ministry of Justice, artificial intelligence is solely designed as an auxiliary tool in decision-making processes of judges and prosecutors and systems provide outputs in the form of suggestions and in this context, judicial independence is evaluated in terms of professional expertise and independent decision-making skills. Artificial intelligence systems are positioned not to replace these skills, but to support them.

From the perspective of the Justice Academy of Türkiye, an academic council meeting was held on 10.02.2026 within the framework of 'Research Project on the Legal Framework for the Use of Artificial Intelligence in Judicial Practice' organized by the Centre for Legal Research of Turkish Judicial Academy of Türkiye. As a result of these meetings, the reporting activity to be carried out will specifically address the safeguards for judicial independence and discretion in the face of artificial intelligence, the liability arising from the use of artificial intelligence systems, AI-assisted legal research and case-law analysis for judges and prosecutors, and the draft legal framework for artificial intelligence systems in the judiciary. Additionally, it is aimed to conduct a situation analysis regarding the adequacy of the legal infrastructure in terms of the integration of artificial intelligence systems into judicial practice and to determine minimum legal standards in line with the results obtained and share them with the units and authorities authorized to make decisions.

In this framework, artificial intelligence systems are solely designed as auxiliary tools and do not replace the professional expertise and decision-making authority. The fact that final decision is always made by judge and the outputs of artificial intelligence are not binding is considered as a fundamental safeguard for the protection of judicial autonomy. This approach also ensures the prevention of over-reliance on artificial intelligence and the preservation of the judge's professional judgment.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

On 10/10/2025, in collaboration with Intellectual and Industrial Rights Application and Research Centre, Music Work Owners Group Professional Association, the Presidency of Justice Academy of Türkiye organized the "Symposium on Recent Developments in the Relationship between Digital Transformation and Copyright Law" with the participation of judges serving in specialized courts in order to address legal disputes arising from use of artificial intelligence in works of art. 209 judges participated in the symposium.

Additionally, within the scope of the Programme Calendar of the Directorate General for Foreign Relations and Information, it is planned to organize a workshop titled 'Artificial Intelligence and Law' in Ankara in 2026 as part of the Project to Support the Effective Implementation of the Constitutional Court's Decisions in the Field of Fundamental Rights. Details regarding artificial intelligence training will also be provided in the prepared Excel table (TAA-appendix-1).

If the AI systems designed by the Directorate General for Information Technologies under the Presidency of Court of Cassation are applied to any module, trainings and user manuals in relation to use of system are presented to the users if needed. User guides are also provided in applications that are made available to citizens so that users can make use of them.

Finally, in Turkish judiciary system, educational activities aiming to increase awareness and level of information of judges and prosecutors in the field of artificial intelligence are conducted. Justice Academy of Türkiye has prepared various training materials about AI-Law relation within the framework of pre-service and in-service education. These materials are available on online platforms. In this context, training videos and distance learning programmes on the topics such as the legal status of artificial intelligence, its regulation and its impact on judicial practices are offered.

In addition to this, training sessions on artificial intelligence applications and their impact on the legal field were organized as part of online and face-to-face in-service training programmes and judges and prosecutors attended these programmes. Furthermore, symposiums and workshops on artificial intelligence and law are being organized with the objective of increasing the knowledge and awareness level of members of the judiciary.

Although there is not any mandatory or systematic training programme dedicated to use of AI, it is planned to increase training and capacity building efforts in this area.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

The use of artificial intelligence to make fully automated decisions in court proceedings is not allowed. As particularly emphasized in the work of the Grand National Assembly of Türkiye Artificial Intelligence Research Commission, artificial intelligence systems are not used in any way as automatic decision-makers, but are considered solely as tools that support judges, prosecutors and judicial personnel. This approach is based on the Turkish legal system's human-centered approach to adjudication, which is based on the judge's conscientious opinion.

Within this framework, the fundamental principle in the Turkish legal system is that judicial authority is exercised by human judges, and artificial intelligence is only accepted as an auxiliary and supportive tool. It is not envisaged that artificial intelligence will be used in the future in a decision-making capacity that replaces the judge.

UZEM OFFLINE VIDEO TRAINING STATISTICS (uzem.taa.gov.tr)				
LESSON		UPLOADING DATE	TOTAL VIEWING	THE NUMBER OF VIEWERS
1	Regulation of Artificial Intelligence	27.08.2024	102	60
2	Legal Status of Artificial Intelligence and Liability Arising From Use of Artificial Intelligence	17.01.2023	44	32
3	An Overview of Artificial Intelligence and Its Law	26.10.2022	40	30
UZEM OFFLINE VIDEO TRAINING STATISTICS (e- akademi.taa.gov.tr)				
LESSON		UPLOADING DATE	TOTAL VIEWING	THE NUMBER OF VIEWERS
1	Legal Status of Artificial Intelligence and Liability Arising From Use of Artificial Intelligence	17.01.2023	292	204
2	An Overview of Artificial Intelligence and Its Law	26.10.2022	138	109
IN-SERVICE ONLINE TRAINING STATISTICS				
SUBJECT OF LESSON		DATE	NUMBER OF PARTICIPANTS	
1	Artificial Intelligence Applications	20 March 2023	223	
2	Artificial Intelligence Applications	08-May-24	174	

Ukraine

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

During 2024-2025, Ukraine actively integrated AI into the judicial system.

At the legislative level, there is no specific definition of AI that directly applies to the entire judiciary of Ukraine. The existing definitions are contained in departmental acts of courts and sectoral documents of state policy. Thus, regulation is of a subordinate and recommendatory nature.

The High Anti-Corruption Court of Ukraine, in its 'Principles for the Use of Artificial Intelligence Tools in the High Anti-Corruption Court,' defined AI as an organised set of information technologies that can be used to perform tasks by applying algorithms to process information obtained or independently created during operation.

The Ministry of Digital Transformation of Ukraine has developed a glossary of terms in the field of AI, which contains a comprehensive definition of an AI system – a machine system that, based on the input data received, makes conclusions on how to generate results (such as forecasting, creating documents, providing recommendations or decisions) that may affect the professional activities of lawyers.

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

Yes, the use of AI by court staff (including secretaries and assistants) is officially permitted and regulated for the performance of auxiliary and technical functions.

The Supreme Court and the High Administrative Court of Ukraine have currently developed internal documents regulating the use of AI technologies by employees of these courts – 'Regulations on the use of AI technologies by employees of the Supreme Court' and 'Principles for the use of AI tools in the High Anti-Corruption Court'.

The High Anti-Corruption Court of Ukraine has determined that AI can be used to analyse and summarise large amounts of data; automate repetitive work processes; prepare and visualise work reports, schedules, diagrams, etc.; searching for new ideas and approaches to the organisation of work processes; creating content and/or automating the maintenance of court web pages on social networks; creating chat bots to provide feedback from court visitors and participants in court proceedings; selecting materials for self-development; improving the professional qualifications of court employees, training, etc.

The Supreme Court has determined that AI is used for: 1) summarising judicial practice and filling the Supreme Court's database of legal positions; 2) analysing court decisions and other information in order to identify systemic causes of disputes (preventive justice); 3) performing other technical or auxiliary tasks (checking grammar and style; formatting and structuring text; translating documents and foreign sources; searching for information in open sources and internal databases; preparing draft responses to requests, appeals and other non-procedural documents).

The concept of a Unified Judicial Information and Communication System, approved by the State Judicial Administration of Ukraine, additionally provides for the use of AI for the automatic distribution of cases, forecasting of consideration times and automated

verification of the completeness of claim details, which minimises errors at the stage of document registration by the court staff.

None of these functions involves delegating discretionary powers to AI or influencing the formation of a judge's internal conviction.

3. Is judicial use of AI, particularly where judicial decisionmaking is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

The use of AI in the context of the direct administration of justice and decision-making is effectively prohibited in terms of evidence assessment and decision-making. The nature of these rules is complex: it combines ethical and disciplinary standards, administrative requirements and strategic planning for the development of the judicial system.

The Code of Judicial Ethics (Article 16) explicitly states that the use of AI technologies by judges is permissible if it does not affect the independence and impartiality of the judge, does not relate to the assessment of evidence and the decision-making process, and does not violate the requirements of the law.

In Ukraine, the approach is that the use of AI is assessed through the prism of the rule of law, the independence of judges, and the right to a fair trial (Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms). No AI tool can influence a judge's internal convictions or replace the process of motivating a court decision.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

Yes. Ukraine has established rules and guidelines for the use of AI by parties to legal proceedings, lawyers, and other participants in court proceedings.

There are specialised industry recommendations and Supreme Court case law that set standards of conduct.

The recommendations for lawyers, developed by the Ministry of Digital Transformation of Ukraine and the Ministry of Justice of Ukraine in July 2025, stipulate that lawyers are obliged to independently verify factual statements, legal conclusions and quotations provided by AI by referring to primary sources – laws, court practice, official databases, etc.

These Recommendations pay particular attention to countering manipulation – parties and lawyers are warned against using generative AI to create fake evidence (photos, audio, video), which qualifies as serious procedural abuse and a violation of legal ethics.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

In Ukraine, there is no special judicial or other body authorised to exercise separate oversight specifically over the use of AI by the judiciary.

Oversight is decentralised. It is implemented through internal administrative control (court management); ethical control (the Council of Judges of Ukraine); and judicial control through the legal positions of the Supreme Court. Responsibility for the proper use of AI rests with a specific court and a specific official.

In the Supreme Court, control is entrusted to the management of staff, which has the right to initiate monitoring of the use of AI technologies to identify possible violations and initiate audits to assess the effectiveness and safety of AI technologies. Based on the results of

such monitoring, the Administration prepares and publishes an open report on the implementation of AI technologies.

In the High Anti-Corruption Court of Ukraine, control over the implementation of the principles of AI use is entrusted directly to the head of the court's administration.

At the state level, the Roadmap for AI Regulation in Ukraine from the Ministry of Digital Transformation of Ukraine provides for the creation of a regulator in the second stage (implementation of the EU AI Act) — a state body with the actual ability to implement the law and exercise oversight.

Thus, as of today, no specialised independent state supervisory body for the use of AI by the judiciary has been created, and the relevant control is internal in nature.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

The Supreme Court has developed an approach to the liability of participants in the process for using generative AI systems without properly verifying the authenticity of the materials. These approaches relate to procedural good faith, rather than the legalisation or prohibition of AI as such.

The Supreme Court has also formulated specific approaches to the proper use of AI tools in legal practice.

The Supreme Court separately emphasised the mandatory nature of the principle of 'human-in-the-loop,' according to which AI can only be used as an auxiliary tool and does not replace critical thinking, professional judgement, and legal assessment by a lawyer.

The Constitutional Court of Ukraine has not issued any decisions regarding the proper use of AI by the judiciary.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

In Ukraine, decisions on the development and implementation of digital tools, including those with AI elements, are not made solely by the courts. The implementation of AI is based on inclusive consultations and strategic planning. Consultations take place at the institutional level — within the framework of the State Judicial Administration of Ukraine, the Council of Judges of Ukraine, the High Council of Justice, as well as in cooperation with executive authorities (particularly in the field of digitalisation) and international partners. Such consultations usually concern the digitalisation of the judicial system in general, rather than AI tools specifically.

For example:

- The concept of a Unified Judicial Information and Communication System was developed based on the results of inclusive consultations with stakeholders and the public;
- The Supreme Court, in its Regulation on the use of artificial intelligence technologies by employees of the Supreme Court, explicitly states that this act is open for consultation with scientists, technology experts and the public;
- The Strategy of the High Anti-Corruption Court of Ukraine for 2026-2028 was developed with the support of the European Union Anti-Corruption Initiative and with the involvement of a wide range of experts and colleagues.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

Responsibility is shared between court staff, IT departments and individual users, with priority given to the independence of judges:

The Information Technology and Information Security Department and the Information Technology Division, together with the Organisational and Human Resources Department, are responsible for organising training and practical aspects at the High Anti-Corruption Court of Ukraine.

In the Supreme Court, only AI technologies approved by the head of the Supreme Court Secretariat, which guarantee access control and transparency of architecture, are allowed to be used for working with restricted information.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

The development and training process is based on the principles of transparency of sources and minimisation of bias.

The Supreme Court gives preference to tools whose developers provide transparent information about the architecture of the technology, data for its training, and measures taken to reduce the risk of algorithmic bias. Employees should use data from official sources as much as possible for analysis and generalisation.

The Ministry of Digital Transformation of Ukraine recommends checking datasets (data used to train, evaluate and test algorithms and models) for institutional or individual harmful biases.

Thus, as of today, the Ukrainian judiciary does not develop its own AI models or form its own training datasets; external software solutions or corporate tools are used.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

The main purpose and mechanisms for assessing proportionality are defined as follows:

The purpose of using AI by the High Anti-Corruption Court of Ukraine is to increase the efficiency and transparency of the court's activities, reduce the amount of organisational and material resources spent, and find ways to improve the efficiency of work organisation processes.

The purpose of using AI by the Supreme Court is to improve the quality and efficiency of work processes and optimise the use of resources.

Thus, the necessity and proportionality of using AI is assessed according to the following criteria: no interference with the administration of justice; no risk of influencing the judge's internal convictions; ensuring the possibility of full human verification of the result; compliance with data protection requirements.

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Judges remain personally liable, despite the use of auxiliary tools.

An employee of the Supreme Court Administration shall be subject to disciplinary and other types of liability provided for by applicable law for the unlawful use of AI, which has led, in particular, to the disclosure of restricted information. The use of AI in their work does not relieve these employees of responsibility for the results of their work and for compliance with the requirements of Ukrainian law (the principle of personal responsibility).

The High Anti-Corruption Court of Ukraine stipulates that the use of AI does not replace the intellectual component of human capital (the principle of unchanging responsibility).

It should be noted separately that a judge may be subject to disciplinary liability in accordance with the procedure provided for by the Law of Ukraine 'On the Judicial System and Status of Judges' if the use of AI has led to a violation that provides for such liability.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

In Ukraine, rights protection is ensured by strict prohibitions and technical restrictions.

The High Anti-Corruption Court of Ukraine prohibits the uploading of court documents to AI tools.

The Supreme Court prohibits the use of publicly available AI technologies to work with restricted information (confidential, secret, and official information).

Recommendations for lawyers in Ukraine indicate the need to ensure that all personal data in documents is anonymised before using AI.

To properly ensure fundamental rights when using AI, it is advisable to prohibit the entry of personal data or restricted information into open AI services; ensure that only certified and secure AI is used; introduce the mandatory principle of 'human final decision-making'; and train judges and court staff on the risks of AI.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

The security and integrity of the systems are ensured through rigorous selection of tools and technical restrictions.

For example, the Supreme Court only allows the use of AI technologies approved by the head of the Court Administration, which guarantee adequate data protection, compliance with security requirements, confidentiality, access control, and transparency of information about the technology architecture and data for its training.

The recommendations of the Ministry of Digital Transformation of Ukraine advise using 'secure' options that work within the organisational environment and ensure that data is not transferred to publicly available models.

Lawyers are advised to regularly update their software, use two-factor authentication and avoid interacting with suspicious data.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Transparency requirements are mandatory and are implemented through document labelling and public reporting.

Thus, the Supreme Court stipulates that if AI is used to create a document or part thereof, the employee must inform the persons to whom the relevant information is provided of such use in the accompanying information or in the document itself. Notification is not required in cases where AI performed purely technical tasks (grammar, formatting, transcription). The Supreme Court staff is required to prepare and publish an open report on the

implementation of AI technologies, containing summary information on areas of use, results, effectiveness and risks.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Yes, courts are taking measures to prevent excessive dependence of the judiciary on the assistance provided by the AI tool used.

The Supreme Court has established the obligation of professional human control, where AI is only a digital assistant, and only the expression of will of the authority has final legal significance.

The High Anti-Corruption Court of Ukraine has determined that AI does not replace the intellectual component of the court's human capital, but can only serve as an auxiliary tool (the principle of professional verification).

The Supreme Court has established an obligation to carefully verify the results obtained; all factual data, quotations and references to normative acts or judicial practice must be checked against the original sources (legislative acts, official databases, etc.) and corrected if necessary.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Yes, training is a mandatory element of AI technology implementation.

The High Anti-Corruption Court of Ukraine is responsible for organising periodic training on IT management and organisational and personnel management.

The Supreme Court stipulates that training is to be organised by the court and the National School of Judges.

The training itself covers practical and ethical aspects, in particular: the use of query formulation techniques, personal data protection and AI literacy (understanding limitations and risks).

17. Is fully-automated decisionmaking in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

In Ukraine, fully automated decision-making in court proceedings using AI is not permitted. The Code of Judicial Ethics explicitly states that AI cannot be used in the decision-making process.

The Supreme Court explicitly prohibits the automatic creation of draft decisions and any other procedural documents adopted in court proceedings using AI.

The Strategy of the High Anti-Corruption Court of Ukraine for 2026–2028 only mentions intentions to automate 'repetitive work processes' and 'technical processing of documents,' but not justice as such.

In January 2026, Ukraine initiated the development of legislation on the transition from point AI solutions to a comprehensive model of digital transformation of justice.

A key initiative of the Ministry of Digital Transformation of Ukraine is the launch of a pilot project to consider certain categories of cases of administrative offences using specialised AI modules.

The module 'Artificial Intelligence of the Unified Information System of the Ministry of Internal Affairs of Ukraine' is designed for the automated processing and review of administrative penalty decisions issued by the National Police of Ukraine.

The 'Artificial Intelligence of the Unified Judicial Information and Communication System' module is designed for the automated selection of cases and the formation of draft court decisions in cases of minor complexity (in particular, regarding traffic and parking violations).

The project provides for two-level verification: the person's consent to the consideration of the case by the AI module and the mandatory signing (or rejection) of the draft decision generated by the AI by the judge within 14 days.

United Kingdom/Royaume-Uni

I. Legislation, rules of court or other official guidelines

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?

I am not aware of legislation or rules of court which define AI. But the Guidance for Judicial Office Holders defines AI as “Computer systems able to perform tasks normally requiring human intelligence”

2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

AI is used by some judges (and their assistants) for analysing data, summarising documents and preparing notes. There have been isolated cases (giving rise to disciplinary action) in which judges have produced judgments using AI.

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?

The use of AI is subject to guidance published on the Courts and tribunals website and in the standard textbook on civil procedure. It was last updated on 31 October 2025. The guidance explains the risks of using AI; emphasises that judges are personally responsible for material produced in their name and stresses the need to preserve confidentiality. It outlines potentially useful tasks for AI (summarising texts, writing presentations and administrative tasks). It warns against using AI for legal research or legal analysis.

4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?

I am not aware of any general regulation or guidance. Guidance on the use of AI by barristers is published by the Bar Council. Similar guidance for solicitors is published by the Law Society and the Solicitors Regulation Authority.

*The court has given guidance on the use of AI by legal professionals. The court ruled that legal professionals who use artificial intelligence to conduct legal research themselves, or rely upon the work of others who have done so, have a professional duty to check the accuracy of such research by reference to authoritative sources before using it in the course of their professional work. See *R. (on the application of Ayinde) v Haringey LBC* [2025] 1 WLR 5147. In that case the court suggested that serious cases could amount to the criminal offence of perverting the course of justice.*

There have also been warnings about the use of AI by litigants in person and the risks in such cases of AI “hallucinations”. A litigant in person who relies on fabricated case law (even if generated by AI) may be treated as being in contempt of court.

5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?

Not as far as I am aware. There is, however, a judicial panel which oversees data protection by the judiciary. If the use of AI would contravene data protection law, it would be referred to that panel as a data breach.

6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

No.

II. The design, operation and management of artificial intelligence (AI) by the judiciary

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?

It is not. AI used by the judiciary is generic AI produced by e.g. Microsoft Co-Pilot or Westlaw.

8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?

See answer above.

9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

See answer above.

III. Use of artificial intelligence (AI)

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?

AI is used by some judges (and their assistants) for analysing data, summarising documents and preparing notes. The necessity and proportionality of use is left to the discretion of individual judges. There is a pilot scheme to evaluate certain AI tools for legal research (including both benefits and risks)

11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?

Judges do not incur civil liability for the use of AI. But they can incur disciplinary liability.

12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?

Data protection is overseen by a judicial panel; and guidance on data protection is given to judges on appointment. Guidance on data protection is also published on the Courts and tribunals website.

13. Where AI is used, what measures, if any, are used to ensure its security and integrity?

The guidance states that judges must not enter into a public AI chatbot any information that is not already in the public domain or enter any material that is private or confidential. It also states that any information provided by an AI tool must be checked before it is used or relied on.

14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?

Judges are not obliged to describe the research or preparatory work which may have been done in order to produce a judgment. They need no, therefore, inform the parties that they have used AI.

15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

Only the guidance.

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.

Training is provided in the form of on-line handouts by the Judicial College.

17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?

Not yet. An online court is currently the subject of a pilot scheme, but the scheme still requires decisions to be made by human beings. But the head of civil justice is working towards an AI-enabled case management system. I am not, however, aware of plans to introduce fully-automated decision making by AI.